



## **Town of Arlington Board of Selectmen**

### **Meeting Agenda**

January 12, 2015

7:15 PM

Selectmen's Chambers, 2nd Floor, Town Hall

1. Update: Arlington Food Pantry  
Christine Bongiorno, Director of Health and Human Services
2. Presentation: Report of Building Maintenance Committee  
Adam W. Chapdelaine, Town Manager

### **CONSENT AGENDA**

3. Minutes of Meetings: December 22, 2014
4. For Approval: 'Cause + Event Arlington 2015' 5K Race, May 17, 2015  
Julie Vakoc and Robin Olinsky
5. Request: Contractor/Drainlayer License  
K.B. Aruda Construction, Inc., P.O. Box 390822 Cambridge, MA

### **APPOINTMENTS**

6. Introduction: Newly Appointed Equal Opportunity Advisory Committee Member  
Sara Elizabeth Hirshon (term to expire 1/31/2016)
7. Disability Commission  
Cynthia DeAngelis (term to expire 1/31/2018)

### **CITIZENS OPEN FORUM - SIGN IN PRIOR TO BEGINNING OF OPEN FORUM**

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established. It should be noted that there is a three minute time limit to present a concern or request.

### **TRAFFIC RULES & ORDERS / OTHER BUSINESS**

8. Request: Handicap Parking Sign @ 16 Whittemore Street  
Michael Lafferty
9. For Approval: Arlington Public Art
  - a. Chairful Where You Sit 2015
  - b. Art Rocks Spy Pond Park 2015
  - c. Transformer Box Project 2015, Arlington Heights  
Adria Arch and Jill Manca, Arlington Public Art
10. For Approval: Letter to Federal Aviation Administration  
Steven M. Byrne, Chair

11. Discussion and Adopt: Draft Selectmen's Handbook, Alcohol Licenses and Regulations  
Kevin F. Greeley, Selectman
12. Discussion: Police Chief Recruitment  
Adam W. Chapdelaine, Town Manager
13. Town Manager Evaluation Process  
Adam W. Chapdelaine, Town Manager

**NEW BUSINESS**

**EXECUTIVE SESSION**

Next Meeting of BoS January 26, 2015



## **Town of Arlington, Massachusetts**

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### **Update: Arlington Food Pantry**

#### **Summary:**

Christine Bongiorno, Director of Health and Human Services

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Reference Material	Memorandum to Board



**Town of Arlington**  
**Department of Health and Human Services**  
**Office of the Board of Health**

27 Maple Street  
Arlington, MA 02476

Tel: (781) 316-3170  
Fax: (781) 316-3175

**MEMO**

TO: Board of Selectmen

FROM: Christine Bongiorno, Director of Health and Human Services

DATE: January 8, 2015

RE: New Arlington Food Pantry Director

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As you are aware, the Arlington Food Pantry, a division of the Department of Health and Human Services has seen an increase in Arlington residents needing assistance with food over the past year. As a result of the increased need, we began seeking out a new space that could allow for additional distribution days as well as additional storage and the ability to offer healthier food options. Over the past year, the Arlington Food Pantry has partnered with the Housing Corporation of Arlington and has opened a satellite food pantry site at 117 Broadway. This was an effort that was initiated by a coalition of religious organizations in town led by the Calvary Church. The new satellite location officially opened in December and has been able to provide more residents with more of the fresher food options such as produce and proteins such as milk, eggs, cheese and meats.

The Arlington Food Pantry was originally opened in 1993 and the entire operation from staffing the pantry to stocking the shelves with food has been done only through the generosity of the community through volunteers and food and financial donations. Today, with the growing need, we will be hiring a part-time Food Pantry Director for a period of one year. The goal of the Director will be to coordinate the distribution of food at both sites while working to establish the Arlington Food Pantry as a separate private non-profit corporation. The Arlington Food Pantry currently is affiliated with the Arlington Health and Human Services Charitable Corp, a non-profit affiliated with the Department of Health and Human Services. However, by establishing a separate non-profit, the Arlington Food Pantry will be eligible for more foundation funding opportunities as well as grant funds. Additionally, by establishing the Food Pantry as a separate non-profit, there will be an opportunity for the non-profit to hire staff that can manage volunteers that will continue to operate the pantry moving forward.

Please do not hesitate to contact me should you need additional information regarding this matter.



## **Town of Arlington, Massachusetts**

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### **Presentation: Report of Building Maintenance Committee**

#### **Summary:**

Adam W. Chapdelaine, Town Manager

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Reference Material	Memorandum to Board
<input type="checkbox"/> Reference Material	Summary Document
<input type="checkbox"/> Reference Material	Presentation



**Town of Arlington  
Office of the Town Manager**

**Adam W. Chapdelaine  
Town Manager**

**730 Massachusetts Avenue  
Arlington MA 02476-4908  
Phone (781) 316-3010  
Fax (781) 316-3019  
E-mail: [achapdelaine@town.arlington.ma.us](mailto:achapdelaine@town.arlington.ma.us)  
Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)**

**To:** Members of the Board of Selectmen

**From:** Adam Chapdelaine, Town Manager

**RE:** Report from Building Maintenance Committee

**Date:** January 8, 2015

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In 2012, the Board voted to create a Building Maintenance Committee that was to be charged with, “evaluating the maintenance needs of Town buildings, sites and facilities; recommend maintenance policies to the Town Manager; and to devise funding strategies to support ongoing maintenance demands.” The Committee which includes, the Deputy Town Manager, Energy Manager, School Chief Financial Officer, Superintendent of Buildings and representatives of the Finance Committee, Capital Planning Committee and the public, has met regularly in an effort to evaluate current facility staffing and practices and to draft recommendations on how to improve the Town’s facility maintenance standards long term.

After considerable deliberation, the Committee determined that the Town would be best positioned to address its short, mid and long term maintenance needs by establishing a centralized Facilities Department. Please see the attached document which is titled, “Arlington Facilities Department,” for additional details regarding the Committee’s thoughts around this recommendation. I have reviewed the Committee’s recommendations with Superintendent Bodie and I am prepared to recommend the following in my FY 2016 Budget Submission:

- Establish a centralized Facilities Department between Town and School departments
- Create a Director of Facilities position under the direction of the Town Manager which will be jointly funded by the Town and School
- Establish an administrative function
- Begin to consolidate the reporting structure for all maintenance and custodial personnel and the respective budget impacts under the Facilities Department

The above mentioned recommendations will serve as year 1 of a multi-year effort to fully establish and develop the Facilities Department. Future years will include the consolidation of Town and School maintenance budgets and further evaluation of facility maintenance needs and how those needs align with current resources.

Members of the Building Maintenance Committee will be on hand at Monday's meeting and will be prepared to present the Committee's recommendations to the Board.

## Arlington Facilities Department

Maintenance planning requires the management and preservation of capital assets through long term, mid-term and short term processes. Currently Arlington is relatively strong with long term capital planning and is at an acceptable level regarding short term work order processing, but needs improvement on the mid-term annual maintenance planning and reporting.

- **Long Term:** An annual cycle of capital planning and budgeting covers acquisitions, new construction, renovation and substantial repairs. This operates through the Capital Planning Committee and the budget consisting of 5% of the annual Town budget.
- **Mid Term:** Understand the value of Town owned assets, predicting their life cycles and repair requirements, setting standards for levels of maintenance that provide measureable results and consistency across all facilities and ensuring the maintenance is done in a timely and cost effective manner each year in order to insure the long term health of the assets. This is currently in need of significant improvement in Arlington.
- **Short Term:** Schedule repairs and maintenance through work orders and in response to unanticipated service requests and emergencies.

**Long Term:** The Facilities Department with its cross-departmental perspective and its attention to asset conditions and Town standards will identify to department heads, the capital needs in each department. This will increase the reliability of the long term capital budget requests submitted to the Capital Planning Committee.

**Mid Term:** The Facilities Department will develop tools to measure and assess the impact of maintenance activities on the Town's building assets. (Examples of these tools can include a Facility Conditions Index and a Maintenance Management Expenditure.) Over time, this will lead to an ability to track building conditions and maintenance schedules for all buildings. This in turn, will enhance the life expectancy of assets and raise the general level of facility conditions.

**Short Term:** The Facilities Department will submit reports on patterns of problems including trends in emergency maintenance calls and actual costs of emergency repairs. Through the use of newly acquired work order software, the department will be able to revise staff time allocation and priorities and reduce the cost and frequency of unanticipated repairs.

### SUMMARY:

The creation of a Facilities Department will assist in extending the asset life of existing facilities, add value to facilities by enhancing their condition, add additional reliability to capital budget requests, separate operating and maintenance budgets and improve the operational efficiencies for the current level of maintenance expenses. Once the Facilities Department is up and running and reports are consistently created, the Town should achieve financial savings through efficiencies and through the extended life of its building assets.

## **FACILITIES DEPARTMENT RESPONSIBILITIES**

- **Set and Maintain Standards for all Town/School Buildings and Assets**
  1. Utilizing the Arlington Maintenance Policy and Plan create standards for all facilities which could include health and safety, preservation of assets, special permit requirements, degree of need, lifecycle of asset class, cost to maintain asset, etc.
  2. Ensure the maintenance is done in a timely and cost effective manner as necessary to insure the long term health of the assets.
  3. Work with newly acquired SchoolDude software database to capture all required facility information.
  4. Develop tools for measuring and reporting the progress of the Town's investment in maintenance.
  5. Provide measureable results for maintenance levels in all facilities.
- **Ongoing Procedures**
  1. Annually utilize maintenance records to identify assets needing capital investment, replacement, improvement, adjustments in the routine maintenance or new levels of maintenance for all properties.
  2. Ensure baseline data is collected and added to the software database for all properties.
  3. Report annually on costs by facility (school, library, etc. and by systems type (roof, HVAC, etc.)
  4. Submit annual maintenance plan and budget including all buildings and assets to Town Manager. Submit annual report on patterns of problems including trends in emergency maintenance calls, actual costs of maintenance, opportunities for preserving current assets and for improving asset maintenance.

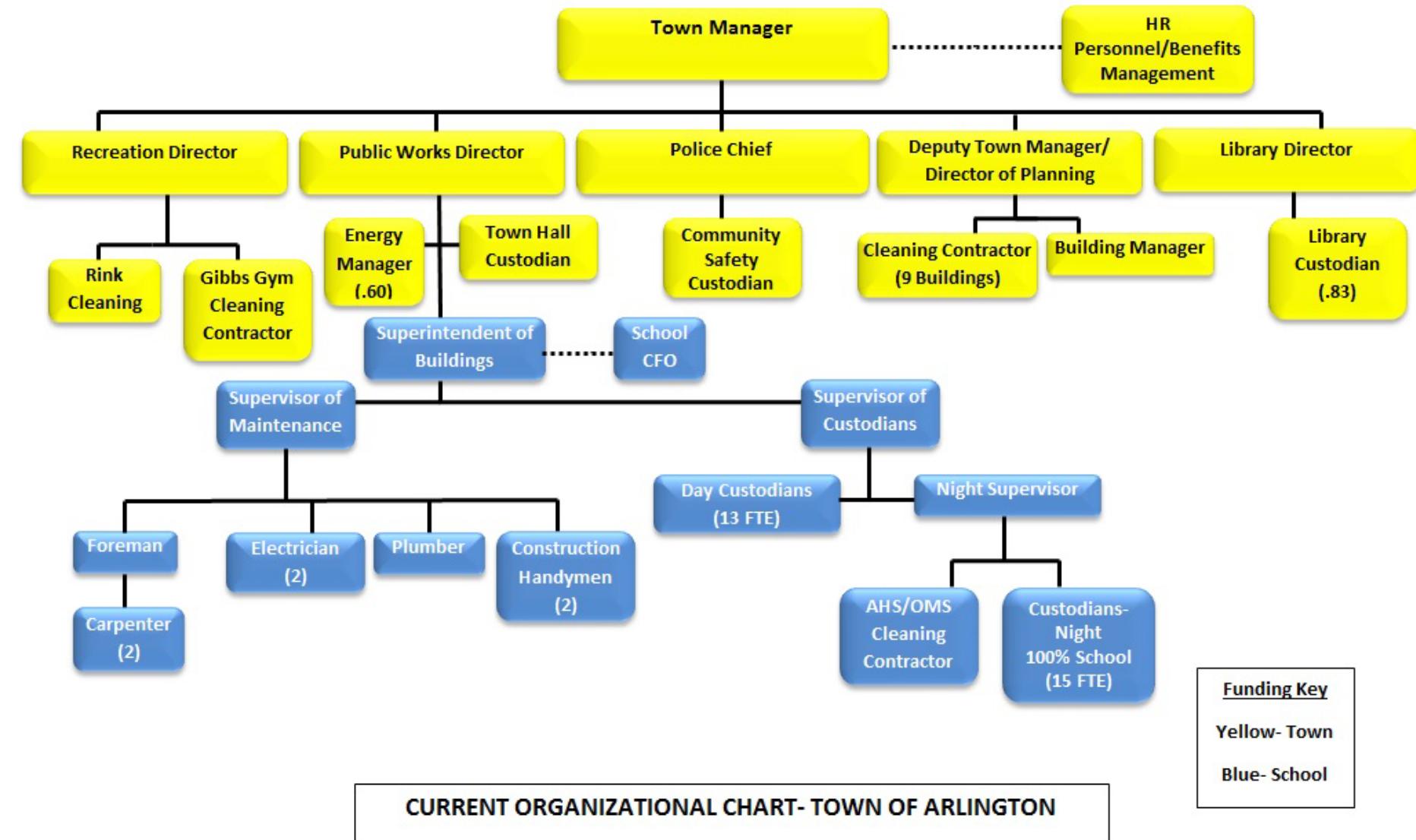


# Town of Arlington Facilities Department

Recommendations of the  
Town Manager  
&  
Building Maintenance Committee

# Building Maintenance Committee

- Created by vote of the Board of Selectmen in 2012 – the Committee was charged with
  - **evaluate** the maintenance needs of Town buildings, sites, and facilities;
  - **recommend** maintenance policies to the Town Manager;
  - and **devise** funding strategies to support ongoing maintenance demands.
- Committee includes representatives of the Town Manager, DPW, School Department, Finance Committee, CPC and the public.



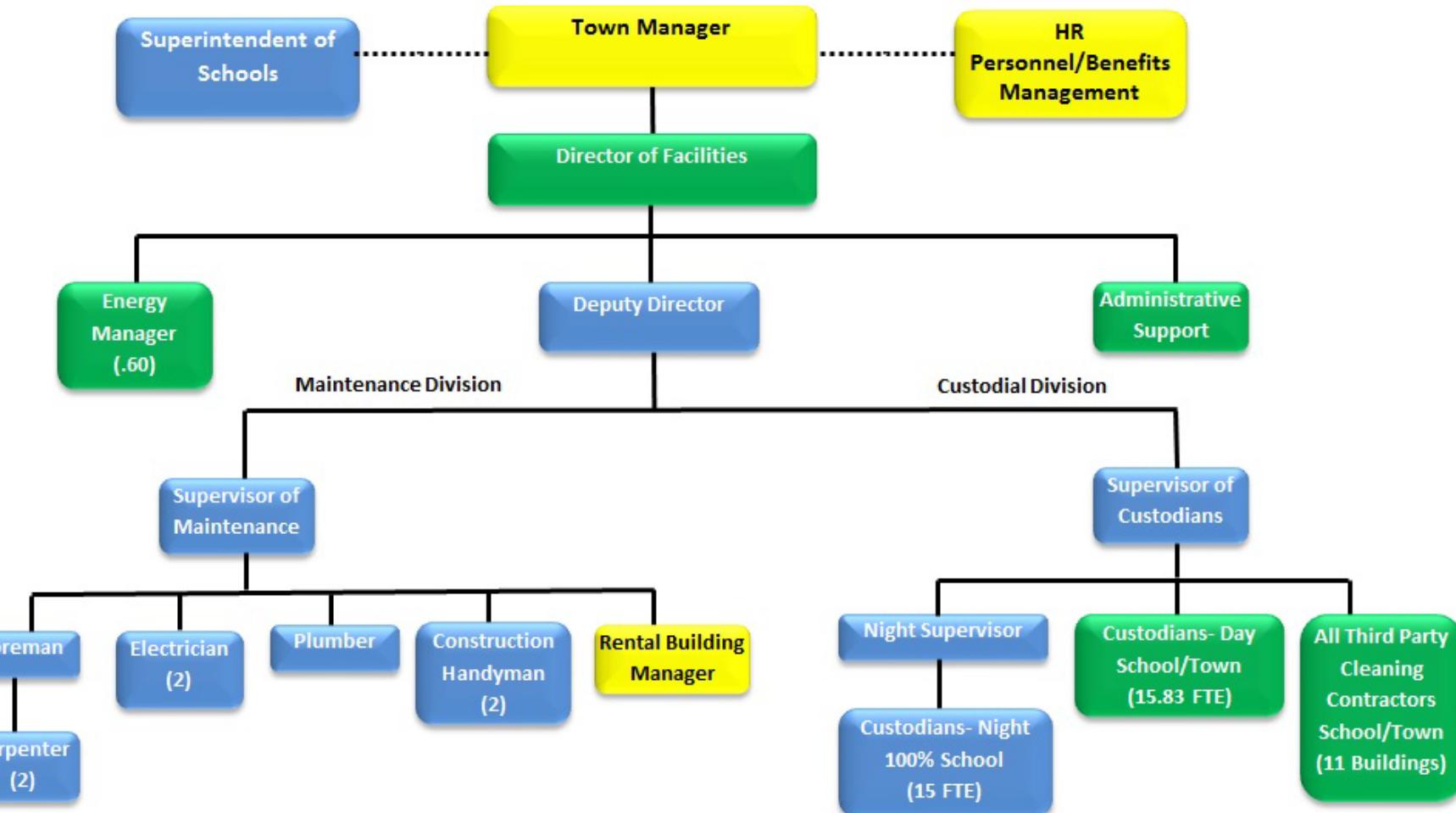
# Work of the Committee

- Created Town-wide Maintenance Policy
  - Short, Mid & Long Term Maintenance Planning
- Developed Recommendations to the Town Manager
  - Create consolidated Facilities Department
  - Fund Director position
  - Consolidate maintenance budgets (Town & School)

# Comparable Communities with Consolidated Facilities Departments

Town/City	Total Square Footage
Belmont	815,000
Bedford	705,034
Brookline	2,750,000
Lexington	1,400,000
Milton	950,000
Natick	1,160,943
Needham	1,100,000
Reading	1,800,000
<b>AVERAGE</b>	<b>1,186,775</b>

- Arlington Total Square Footage = 1,322,243
- 11 different department heads/administrative staff currently oversee a total of 40 buildings



**TOWN OF ARLINGTON FACILITIES DEPARTMENT  
PROPOSED ORGANIZATIONAL CHART**

Funding Key

Yellow- Town  
Blue- School  
Green- Joint

# Town Manager's Implementation Plan

- Year 1
  - Create Facilities Department
  - Fund Director of Facilities Position (50/50 Town/School)
  - Establish administrative function
  - Consolidate reporting structure for all custodial and maintenance personnel
  - Begin consolidating maintenance budgets under Facilities Department
- Year 2
  - School & Town consolidate maintenance budgets under Facilities Department



## **Town of Arlington, Massachusetts**

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**Minutes of Meetings: December 22, 2014**

**ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Reference Material	Draft Minutes 12.22.14

# OFFICE OF THE BOARD OF SELECTMEN

STEVEN M. BYRNE, CHAIR  
JOSEPH A. CURRO, VICE CHAIR  
KEVIN F. GREELEY  
DIANE M. MAHON  
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

## TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

Board of Selectmen Meeting  
Monday, December 22, 2014  
6:00 p.m.

Present: Mr. Byrne, Chair, Mr. Curro, Vice Chair, Mr. Greeley, Mrs. Mahon and Mr. Dunn.  
Also Present: Mr. Chapdelaine and Mr. Heim

### 1. Introduction of New Library Director

Mr. Chapdelaine introduced the new Library Director, Peter Struzziero and outlined the hiring process and how he chose Mr. Struzziero as the successful candidate. Mr. Struzziero spoke to his employment and indicated being a Library Director was a long-time goal for him over his 11 years of experience, starting first as a Page, as well as his Arlington family roots. Mr. Dunn noted Mr. Struzziero's Star Wars Clubs initiative. Mr. Struzziero cited his implementation throughout Massachusetts, Rhode Island and New Hampshire of said clubs, noting in past 5 years, there are approximately 175 libraries where he has established the Star War Clubs, reaching approximately 7000 parents and kids in the three states. Mr. Curro commented on Mr. Struzziero's "millennial leader" experience, Disney World employment and customer service experience.

### **FOR APPROVAL**

### 2. CONSENT AGENDA (one vote required for approval of all items)

a) Minutes of Meetings - November 24, 2014 and December 8, 2014  
Motion by Mr. Curro to approve minutes; Mr. Dunn recused himself from 12/8/14 minutes.  
SO VOTED (5-0)

### 3. Request: Sons of Italy Late Night Event

Mr. Thomas Caccavaro requested a 1 a.m. closing time for January 1, 2015. Mr. Dunn questioned when alcohol would last be served and Mr. Caccavaro responded 12:45 a.m.  
Motion by Mr. Greeley to approve request.  
SO VOTED (5-0)

### 4. Request: Menotomy Grill & Tavern Late Night Event

Mr. William Lyons requested a 1 a.m. closing time for January 1, 2015, also indicating alcohol would be last served by 12:30 a.m. to table-side and 12:45 a.m. at bar-side.  
Motion by Mr. Curro to approve request.  
SO VOTED (5-0)

5. License Renewals

Mr. Curro noted correspondence received from the Arlington Bike Advisory Committee regarding outside conditions at 94 Summer Street and Board was advised the owner would address. Mr. Kushnirsky, owner of Alexander Liquors at 94 Summer Street, was present at the meeting and responded that he was aware of concerns and has addressed them and will continue to.

Motion by Mr. Greeley to approve all renewals.

SO VOTED (5-0)

6. Request: Common Ground Arlington Late Night Event

Mr. Rodney Kangiser requested a 1 a.m. for January 1, 2015, also indicating that alcohol would be last served at 12:45 a.m. Mr. Dunn inquired about working relations with the neighborhood and Mr. Kangiser indicated he has spoken with the delivery truck drivers, as well as contacting the truck owners.

Motion by Mr. Greeley to approve request.

SO VOTED (5-0)

7. For Approval: Solar Power Letter of Support

Mr. Chapdelaine indicated the Sustainable Arlington Committee had contacted him regarding our Green community status and solar panels on town schools. Mr. Dunn indicated he supports alternate energy, but concerned regarding a specific-only cited solution that does not take into account other solutions. Mr. Byrne indicated he shared the same concern, citing hydro off-shore wind power as one alternative, and feels letter should be part of larger portfolio. Mr. Greeley stated he felt the letter does not exclude other possibilities, but offered that each Board Member who feels they want to sign on as individuals as a solution.

Motion by Mr. Greeley to authorize Town Manager to send letter with the option of individual Board Members adding their signature.

SO VOTED (5-0)

CORRESPONDENCE RECEIVED

Boston Logan Runway 33L Impacting Arlington

Mr. Byrne indicated he has contacted Mr. Peter Jones, as well as officials at the FAA and would be working with Town Manager to create letter from the Board of Selectmen to the CAC by January 20, 2015. Mr. Curro stated he had contacted Frank Ciano of the Noise Abatement Committees, as well as Rep. Sean Garballey who stated his intention to file legislation to anticipated new CAC Committee.

Arlington Recipient of Annual Town Report Award

Mr. Dunn expressed congratulations on behalf of the Board.

Mr. Greeley moved receipt of correspondence received and related actions thereto.

SO VOTED (5-0)

New Business

Mr. Greeley congratulated Police Chief Frederick Ryan as the new MBTA Police Chief. Mr. Chapdelaine indicated he anticipates presenting the Board with an outline for the recruitment and replacement process, citing the importance of Community buy-in. Mr. Greeley also complimented Mr. Chapdelaine on the Town Employee party.

Mr. Dunn reported on the Long-Term Planning Committee work for budget preparation(s) for Town Meeting and suggested the Board's participation in the future.

Mr. Byrne wished Happy Holidays to all of Arlington's citizens and Town employees.

Mr. Greeley moved to adjourn at 6:45 p.m.

SO VOTED (5-0)

A true record: Attest

Diane M. Mahon  
Selectman

**Next scheduled meeting of BoS – January 12, 2015.**

12/24/14

Agenda Item	Documents Used
1	P. Struzziero resume
2	Draft minutes: 11/24/14 and 12/8/14
3	Request letter
4	Request letter
5	Annual renewal reference material
6	Request letter
7	Support letter
8 (a)	G. Beckwith letter
8 (b)	P.Jones email Belmont BoS packet Meeting notice



## Town of Arlington, Massachusetts

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### For Approval: 'Cause + Event Arlington 2015' 5K Race, May 17, 2015

#### **Summary:**

Julie Vakoc and Robin Olinsky

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Backup Material	Police Recommendations
<input type="checkbox"/> Backup Material	e-mail from event organizers
<input type="checkbox"/> Backup Material	Cause and Event Race Info

# ARLINGTON POLICE DEPARTMENT

**CHIEF OF POLICE**  
Frederick Ryan



POLICE HEADQUARTERS  
112 Mystic Street  
Telephone 781-316-3900  
Facsimile 781-316-3919

*Town of Arlington*  
MASSACHUSETTS 02474

## MEMORANDUM

TO: Marie Krepelka  
Board Administrator

FROM: Officer Corey P. Rateau  
Traffic and Parking Unit

DATE: January 5, 2015

RE: Cause+Event 5K Road Race, May 17, 2015

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The Traffic and Parking Unit has reviewed Ms. Vakoc's proposal to hold a fund raising 5K road race through parts of Arlington on May 17, 2015. We have no objection to the issuance of a permit for this race provided that she utilizes the route as described in her proposal and also that she contacts the Traffic, Details and Licensing Division no later than April 15, 2015 to go over final preparations and arrange for police escorts.

Please advise Ms. Vakoc that she can contact us at any time if she has any questions or changes to her proposal.

CPR

Cc: Frederick Ryan, Police Chief  
Capt. Julie Flaherty, Support Services Commander  
Lt. Paul Conroy, OIC / Traffic, Details and Licensing  
Sgt. Sean Kiernan, Details and Licensing Supervisor  
Adam Chapdelaine, Town Manager

*"Proactive and Proud"*

----Original Message----

From: Julie Vakoc <julie.vakoc@gmail.com>  
To: <msullivan@town.arlington.ma.us>  
Date: Thu, 20 Nov 2014 12:35:12 -0500  
Subject: 5K Race Proposal

Hello Mary Ann-

I spoke to you on Monday about submitting a proposal to the Board of Selectman for a 5K race in Arlington in 2015 which I have attached to this email. Can you please confirm receipt and let me know if you'd like me to drop off a hard copy as well?

Just a few of the highlights:

- Our proposed date is Sunday, May 17, but we are flexible if that date will not work for the town.
- We have worked with the Arlington Police Department to develop a route that minimizes disruptions to traffic and the community that starts and finishes at the Arlington HS track.
- This race is unique in that each runner can specify a charity to donate at least half of their race registration fee. As long as the non-profit is a verified 501c3 organization through GuideStar.org, the race foundation will pass along a portion of the registration fee to each organization chosen. Our hope is that we can help support many local non-profits through this event.

Please let me know if there is anything else we need to do in order to move this request forward.

We look forward to hearing from you.

Best,  
Julie Vakoc and Robin Olinsky

Julie Vakoc  
36 Epping St.  
Arlington, MA 02474  
857-928-2272

# Cause + Event Arlington 2015

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5K race raising funds for non-profits in Massachusetts

CAUSE  
+EVENT

# Cause+Event Foundation: Vision and Mission

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- To raise as much money as possible for as many causes possible in as many communities possible.
- To be four things in every community where we race: Affordable. Local. Small. Fun.
- To connect the philanthropic giving of athletes who participate in our events to the causes they hold dear.

# Race History & Overview

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- Cause + Event was founded in 2012 in Portland, OR to raise money for non-profit organizations through a 5K road race.
- The Cause + Event Foundation is looking to expand to new cities and we would like to organize the first expansion site in Arlington.
- What is unique about this race is that each participant has the ability to select any Guidestar registered 501c3 nonprofit as the recipient of a minimum of half of their registration fee. By allowing runners to select their own charity, the race allows small and/or local non-profits an opportunity for fundraising without putting on their own race.
- For more information:

Portland race website: <http://www.causeandeventportland.com>

Facebook: <https://www.facebook.com/Causeandeventportland>

# Arlington, MA

## Proposed Event Details

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- **What:** 5K race raising money for any GuideStar verified non-profit
- **When:** Sunday, May 17, 2015 (date is flexible), 5k race at 8:00 am, free Kids Fun Run at 7:30 am
- **Where:** Start and finish at Arlington High School track
  - route along Mass Ave. and the Minuteman Bikeway
- **Attendance Goals:**
  - 5K Runners: 500
  - Volunteers: 75-100
  - Kids Fun Run: 100

# Race Directors and the Race Committee

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- Race Directors: Julie Vakoc, an Arlington resident, and Robin Olinsky met in an Arlington running group in 2012.
- They have a network of 30+ runners that will help organize this event and serve on the race committee.
- Race committee roles include:
  - volunteer coordination
  - kids and family programming
  - course logistics / aid stations
  - waste management
  - registration
  - nonprofit engagement
  - race day experience

# Schedule of Events

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## Day Prior to Event

- Pack pick-up

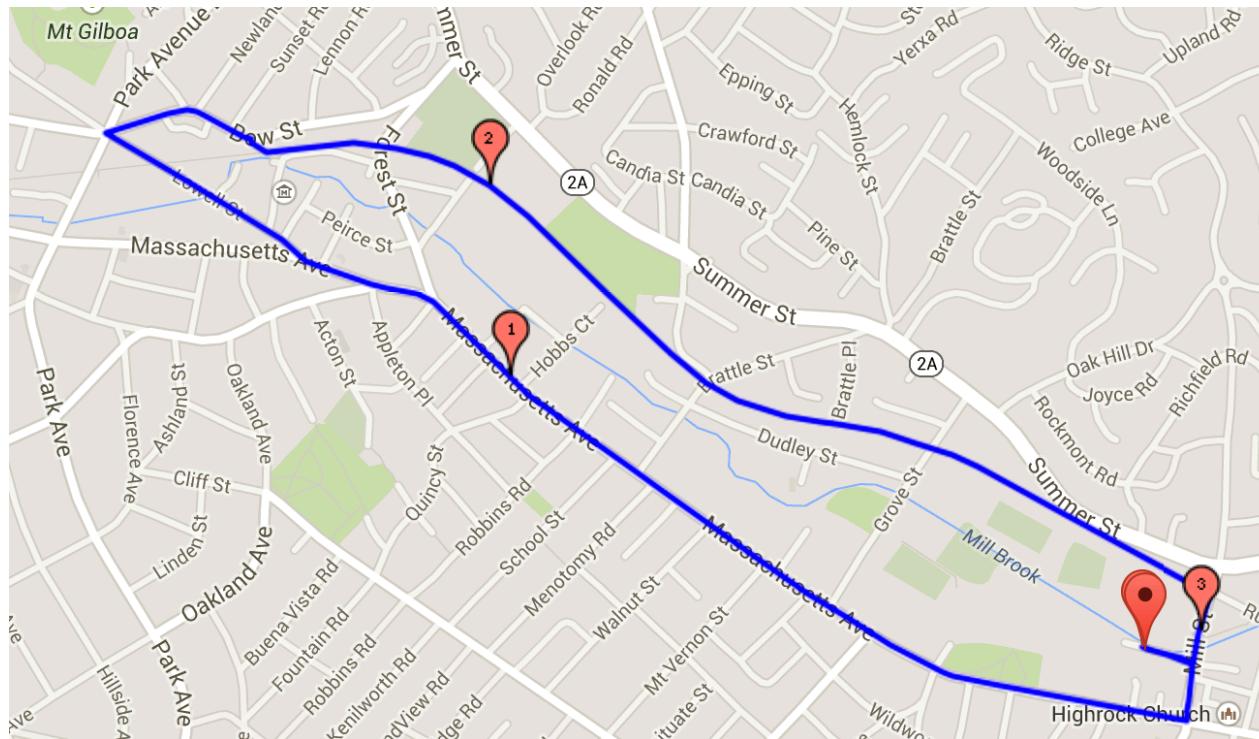
## Day of Event

- Packet pick-up 6:30 - 7:30am
- Expo 6:30am-10am
- Kids run 7:30am - 7:45am
- 5K race 8am - 9am

# Proposed Route

Partnered with the Arlington Police Department to develop the route. Happy to make any necessary modifications.

<http://www.gmap-pedometer.com?r=6483883>



CAUSE  
+  
EVENT

# Community Engagement

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- Promote event to Arlington non-profits to encourage participation
  - Organizations that provide runners and race-day volunteers will be given space at the expo, as well as extra fundraising contributions.
- Encourage entire families to participate in both the Kids Run and 5K to promote health and wellness initiatives in the community.
- Partner with school PTOs

# Community Impact

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- Race route avoids major traffic intersections and early start time should minimize traffic disruption.
- Early Sunday morning start time will reduce any negative impact to the community including conflicts with churches, businesses and school events.
- Use of the Minuteman Bike Path will capitalize on one of Arlington's greatest assets while minimizing road closures.

# Contact Information

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We are happy to provide more information about the race and our plans. Feel free to contact us any time.

Julie Vakoc

[Julie.vakoc@gmail.com](mailto:Julie.vakoc@gmail.com)

857-928-2272

Robin Olinsky

[robinolinsky@gmail.com](mailto:robinolinsky@gmail.com)

617-501-2899

CAUSE  
+  
EVENT



## **Town of Arlington, Massachusetts**

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### **Request: Contractor/Drainlayer License**

#### **Summary:**

K.B. Aruda Construction, Inc., P.O. Box 390822 Cambridge, MA

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Backup Material	Engineering recommendation, Town application, Meeting notice

## Kurt Kelley

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**From:** Kurt Kelley [kpkelley@town.arlington.ma.us]  
**Sent:** Wednesday, December 31, 2014 11:13 AM  
**To:** 'Fran Reidy'  
**Cc:** 'Eileen Messina'  
**Attachments:** K.B. Aruda Construction Inc.pdf

Attached please find a Drainlayer's Application that I received last week. Based on recommendations provided to us by the applicant and past experiences in Town, our office recommends issuance of a Drainlayer's License to K.B. Aruda Construction, Inc. of Cambridge MA.

I will be forwarding you a hardcopy of their application and \$75 application fee via interoffice mail. Please let me know if there's anything else I can provide you.

Thanks,  
Kurt

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**TOWN OF ARLINGTON**  
**DEPARTMENT OF PUBLIC WORKS**  
**ENGINEERING DIVISION**

51 GROVE STREET  
ARLINGTON, MA 02476

PHONE: 781-316-3386  
FAX: 781-316-3281  
[WEB](#)



# TOWN OF ARLINGTON DEPARTMENT OF PUBLIC WORKS

## APPLICATION FOR TOWN OF ARLINGTON DPW CONTRACTOR LICENSE

**Directions:** Please complete **ALL** fields below and deliver the completed application to the Department of Public Works Engineering Department at 51 Grove Street for Processing and Submission to the Board of Selectmen. Please also include in your submission a \$75.00 application fee in the form of a check payable to the "Town of Arlington". Any questions regarding this application form or procedure should be directed to the Town of Arlington Engineering Department at 781-316-3386.

### Scope of Work

Please indicate the scope of work you intend to perform as a DPW Approved Contractor in the Town of Arlington (check all that apply):

Water     Sanitary Sewer     Stormwater Drainage     Sewer/Drain Inspection     Driveway Work     Curb/Sidewalk Work

### Applicant Information

Applicant/Firm Name: K.B. ARVADA CONSTRUCTION INC

Select One:  Corporation     Partnership     Proprietorship     Other: \_\_\_\_\_

Street Address: Box 390772    City/Town: CAMBRIDGE    State: MASS

Primary Phone: (617) 650-8342    E-mail: KBArvadaConstruction@yahoo.com

Length of Time in Business under the same Firm Name: 8 years

Full Name(s) of Principal(s): KEVIN ARVADA JR.

Primary Contact Person: KEVIN ARVADA JR.

### Experience/Previous Work

Nature of Typical/Standard Work: Utility Work - WATER/SEWER

Have you ever performed this type of work in Arlington:  Yes     No

If Yes, Please provide Location: Wadsworth St.    Approximate Date: UNKNOWN

Total Amount of such construction this year: \$100,000

Total Amount of such construction last year: \$500,000 - \$700,000

Total Amount of such construction next previous year: \$1M

### Municipal References - Please Attach Written Reference Letters

Municipality: TOWN OF CAMBRIDGE MASS

Primary Contact Name: Rob Lingle    Email: 617-349-4800

Municipality: TOWN OF SOMERVILLE MASS

Primary Contact Name: Patricia Beltrame    Email: 617-625-6600

Municipality: TOWN OF ARLINGTON

Primary Contact Name:    Email:

### Banking/Financial References - Please Attach Written Reference Letters if Available

Bank Reference: Saverton Bank    Phone: (181) 980-2494

Federal Tax ID or Social Security #:

Note to Town Staff: Redact Social Security # before releasing document

Your social security number or federal identification number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, Chapter 62C, Section 49A.

### Signature/Endorsement

By signing below, I certify that under the penalties of perjury that to the best of my knowledge and belief all information on this application is true and correct. I also certify by signature below that I/we have filed all state tax returns and paid all state taxes as required by law. I also hereby agree to conform in all respects to the conditions governing such license as printed in the By-Laws of the Town, and such other rules and regulations as the Selectmen and/or Department of Public Works may establish.

Applicant Signature: Kevin B. Arvada Jr.

Date: 12/22/14

[Reset Form](#)

[Print Form](#)

## OFFICE OF THE BOARD OF SELECTMEN

STEVEN M. BYRNE, CHAIR  
JOSEPH A. CURRO, JR., VICE CHAIR  
KEVIN F. GREELEY  
DIANE M. MAHON  
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

January 2, 2015

Kevin Aruda, Jr.  
P.O. Box 390822  
Cambridge, MA 02139

Dear Mr. Aruda:

The Board of Selectmen will be discussing your request for a License to do Drainlaying in the Town of Arlington on Monday, January 12th in the Selectmen's Chambers, Town Hall, 2<sup>nd</sup> Floor. The meeting begins at 7:15 p.m. It is not a requirement that you attend the meeting.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,  
BOARD OF SELECTMEN

*Marie A. Krepelka*  
Marie A. Krepelka  
Board Administrator

MAK:fr



## **Town of Arlington, Massachusetts**

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### **Introduction: Newly Appointed Equal Opportunity Advisory Committee Member**

#### **Summary:**

Sara Elizabeth Hirshon (term to expire 1/31/2016)

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Backup Material	Meeting notice, Town Manager appointment letter, Meeting reference 12.8.14

## OFFICE OF THE BOARD OF SELECTMEN

STEVEN M. BYRNE, CHAIR  
JOSEPH A. CURRO, JR., VICE CHAIR  
KEVIN F. GREELEY  
DIANE M. MAHON  
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

December 29, 2014

Sara Elizabeth Hirshon  
133 Thorndike Street  
Arlington, MA 02474

Re: Appointment: Equal Opportunity Advisory Committee

Dear Ms. Hirshon:

The Board of Selectmen at the meeting of December 8, 2014 approved your appointment to the Equal Opportunity Advisory Committee. As you were unable to attend that meeting and in order that they may meet you, the Board requests that you attend their next meeting on Monday, January 12, 2015 at 7:15 p.m. at Town Hall, Selectmen's Chambers, 2<sup>nd</sup> Floor, 730 Massachusetts Avenue.

It is a requirement of the Board of Selectmen that you be present at this meeting. Your presence will give the Board an opportunity to meet and discuss matters with you about the area of activity in which you will be involved.

Please contact this office to confirm the date and time with either Mary Ann or Fran at the above number.

Thank you.

Very truly yours,  
BOARD OF SELECTMEN

*Marie A. Krepelka*

Marie A. Krepelka  
Board Administrator

MAK:fr



Town of Arlington  
Office of the Town Manager

Adam W. Chapdelaine  
Town Manager

730 Massachusetts Avenue  
Arlington MA 02476-4908  
Phone (781) 316-3010  
Fax (781) 316-3019  
E-mail: [achapdelaine@town.arlington.ma.us](mailto:achapdelaine@town.arlington.ma.us)

December 12, 2014

Sara Elizabeth Hirshon  
133 Thorndike Street  
Arlington, MA 02474

Dear Sara,

It is a pleasure to confirm that the Board of Selectmen has approved your appointment to the Equal Opportunity Advisory Committee with a term expiration date of 1/31/2016. Please contact the Town Clerk's Office to take the oath of office.

Thank you very much for volunteering to serve on the Equal Opportunity Advisory Committee for the Town of Arlington. Best wishes for much success and enjoyment. If I can ever be of any assistance to you, please do not hesitate to call me.

Sincerely,

*Adam Chapdelaine*  
Adam W. Chapdelaine  
Town Manager

cc: Board of Selectmen ✓  
Town Clerk



**Town of Arlington  
Office of the Town Manager**

Adam W. Chapdelaine  
Town Manager

730 Massachusetts Avenue  
Arlington MA 02476-4908  
Phone (781) 316-3010  
Fax (781) 316-3019  
E-mail: [achapdelaine@town.arlington.ma.us](mailto:achapdelaine@town.arlington.ma.us)

**MEMORANDUM**

DATE: November 19, 2014  
TO: Board Members  
SUBJECT: Appointment to Equal Opportunity Advisory Committee

---

This memo is to request the Board's approval of my appointment of Sara Elizabeth Hirshon, 133 Thorndike Street to the Equal Opportunity Advisory Committee with a term expiration date of 1/31/2016.

Adam Chapdelaine  
Town Manager

## **SARA ELIZABETH HIRSHON**

---

133 Thorndike Street, Arlington, MA 02474 • (617) 909-6330 • [sarahirshon@gmail.com](mailto:sarahirshon@gmail.com)

**OVERVIEW:** Attorney who has handled complex matters on behalf of Fortune 500 companies, closely held private companies, not-for-profit corporations, government agencies, families, and individuals. Co-chair of recently developed Fashion and Design Practice Group.

### **LITIGATION EXPERIENCE**

- Examined and cross-examined witnesses at bench, jury trials and mediations;
- Drafted various pleadings including dispositive motions, motions for *forum non conveniens*, jury instructions, settlement conference statements, post-trial motions, and appellate court briefs;
- Taken and defended depositions;
- Argued motions;
- Prepared fact and expert witnesses for trial and deposition testimony;
- Negotiated and drafted discovery schedules, pre-trial orders, confidentiality orders, and settlement agreements;
- Examined witnesses at bankruptcy creditors' meeting.

### **EMPLOYMENT**

**Verrill Dana, LLP**, Boston, MA  
Counsel, January 2014-Present  
Associate, January 2010-December 2013

**Denner Pellegrino, LLP**, Boston, MA  
*Civil Litigation Associate*, March 2009-December 2009

**Seegel, Lipshutz & Wilchins, LLP**, Wellesley, MA  
*Litigation Associate*, November 2007-February 2009

**Hanify & King, P.C.**, Boston, MA  
*Business Litigation Associate*, November 2005-October 2007

**WolfBlock LLP**, Philadelphia, PA  
*Commercial Litigation Associate*, September 2002-October 2005  
*Summer Associate*, Summer 2001

### **EDUCATION**

**BOSTON UNIVERSITY SCHOOL OF LAW**, Boston, MA

Juris Doctor, May 2002

Activities:      Student Advisor for First Year Law Students  
                            ABA Law School Representative  
                            Legislative Clinic  
                            Moot Court Participant

**UNIVERSITY OF MICHIGAN**, Ann Arbor, MI  
Bachelor of Art - Political Science, May 1999

Michigan Class Honors, 1996-1999

Activities: Ypsilanti High School Mentor

Boysville Juvenile Detention Center Tutor

Alpha Epsilon Phi Sorority, Assistant Treasurer

Internships: Drummond, Woodsum & MacMahon, Portland, ME, *Attorney's Assistant*  
Congressman Thomas H. Allen, Washington, DC & Portland, ME, *Intern*  
Albert Schweitzer Hospital, Deschapelles, Haiti, *Volunteer*  
Office of Majority Leader Senator George J. Mitchell, Washington, D.C.,  
*United States Senate Page*

**LORENZO DE MEDICI UNIVERSITY**, Florence, Italy

Spring 1998

### **REPRESENTATIVE MATTERS**

- Lead associate representing a boutique lodging establishment in a trademark dispute. Responsibilities including taking and defending deposition, drafting discovery, drafting motions, participating in jury charge conference, examining witnesses at trial, second chairing jury trial in federal court.
- Lead associate representing a jewelry company in a copyright and trade dress case. Responsibilities including drafting discovery, drafting motions, participating in court conferences.
- Lead associate representing a technology company in a legal malpractice matter. Responsibilities included drafting pleadings, deposing witnesses, and overseeing trial team.
- Lead associate representing a student travel company. Responsibilities included drafting all pleadings, interviewing witnesses, implementing discovery plans, deposing witnesses, and negotiating settlements.
- Lead associate representing several family members in a bench trial: *Diamond v. Scangas et al.* Responsibilities included drafting motion for summary judgment, examining witnesses, second-chairing trial in Massachusetts state court, and drafting pre-trial and post-trial memoranda.
- Lead counsel representing bankruptcy trustee in an adversary proceeding. Responsibilities included interviewing witnesses and negotiating settlement and drafting settlement documents.
- Lead associate representing a real estate development company in a trademark infringement case. Responsibilities included communicating with client, drafting all pleadings, and negotiating and drafting settlement documents.
- Lead associate representing New Jersey Transit Rail Operations, Inc. in two jury trials: *Klein v. New Jersey Transit Rail Operations, Inc.* and *Darrohn v. New Jersey Transit Rail Operations, Inc.* Responsibilities included drafting pre-trial motions, taking and defending depositions, examining witnesses, and second-chairing trial in Pennsylvania state court.
- Lead counsel representing New Jersey Transit Rail Operations, Inc. at arbitrations. Responsibilities included taking depositions and cross-examining witnesses.

- Lead counsel representing drug and alcohol treatment program at a municipal court trial and at various administrative hearings. Responsibilities included preparing, examining, and cross-examining witnesses at trial and hearings; negotiating settlements with City of Philadelphia.
- Lead associate representing a nursing home and its officers and directors in a lawsuit brought by the nursing home's bondholders. Responsibilities included preparing witnesses and executing an extensive discovery plan.

### **LEADERSHIP POSITIONS**

- Verrill Dana, LLP, *Diversity Committee*
- American Bar Association
  - Tort Trial & Insurance Practice Section, *Business Litigation Committee, Vice Chair* (2013-Present)
  - Tort Trial & Insurance Practice Section, *Intellectual Property Committee, Vice Chair* (2013-Present)
  - Young Lawyers Division, *Liaison to Commission on Women in the Profession* (2010-2011)
  - Young Lawyers Division, *Membership Committee Member* (2009-2010)
  - Tort Trial & Insurance Practice Section, *Standing Committee on Membership Member* (2009-2011)
  - Tort Trial & Insurance Practice Section, *Task Force on Outreach to Law Students Member* (2009-2011)
- Resources for Human Development, *Human Rights Committee Member*
- Muskie Fund For Legal Services, *Dinner Planning Committee Member*
- The Guidance Center, Inc., *Board of Visitors*
- Young Associates of The Guidance Center, *Founding Member*
- WolfBlock LLP, *Hiring Committee*

### **BAR ADMISSIONS**

- Massachusetts
- Maine
- Pennsylvania (administratively inactive)



## **Town of Arlington, Massachusetts**

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### **Disability Commission**

#### **Summary:**

Cynthia DeAngelis (term to expire 1/31/2018)

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Backup Material	Town Manager recommendation, DeAngelis resume, Meeting notice



**Town of Arlington  
Office of the Town Manager**

**Adam W. Chapdelaine  
Town Manager**

**730 Massachusetts Avenue  
Arlington MA 02476-4908  
Phone (781) 316-3010  
Fax (781) 316-3019  
E-mail: [achapdelaine@town.arlington.ma.us](mailto:achapdelaine@town.arlington.ma.us)**

**MEMORANDUM**

**DATE: December 12, 2014**  
**TO: Board Members**  
**SUBJECT: Appointment to Disability Commission**

---

This memo is to request the Board's approval of my appointment of Cynthia DeAngelis, 47 Columbia Road to the Disability Commission with a term expiration date of 1/31/2018.

*Adam Chapdelaine*  
\_\_\_\_\_  
**Town Manager**

CYNTHIA PAPOULIAS DEANGELIS, M.ED.  
47 Columbia Road ♦ Arlington, MA 02474  
(339) 368-0931 ♦ cynthia.deangelis@icloud.com

## PROFESSIONAL EXPERIENCE

### **Learning Prep School, West Newton, MA**

*LPS is the largest independent school for special needs students in Massachusetts. It has approximately 140 staff serving approximately 285 students from over 140 communities. LPS supports students with language-based learning disabilities as well as a range of other needs.*

2012-May 2014 Executive Director

#### **Accomplishments**

- Provided decisive leadership for a significantly compromised institution, which was on the verge of closing (and which now has a wait list).
- Worked with state agencies and the school team under unusually tight timelines to restructure the school in order to keep it operational.
- Hired 46 staff and terminated and/or reorganized staff in order to bring the school into compliance with DESE and OSD regulations.
- Created a Leadership Team, which included a Chief Financial Officer, Chief Operation Officer, Director of Advancement, Chief Academic Officer for Curriculum/Instruction and Evaluation, Building Principals, and Program Directors.
- Created a mentoring program for teachers and directors to pursue educational administration opportunities.
- Networked with school districts, advocates, neuropsychologists, etc. to improve the reputation of the school and increase its enrollment.
- Created a professional development plan for staff to include current best practices and ongoing support and evaluation of their work with students.
- Successfully implemented a two-year technology plan that included a complete overhaul of the computer network, installation of a wireless network, new computers, and an iPad initiative that included intensive staff training and the hiring of an Assistive Technology Specialist to support the program.
- Oversaw the development of LPS's new visual identity (logo and visual identity system).
- Improved the physical plant through the hiring of a Facilities Manager and a Horticulture Specialist. Improvements included creating a student art gallery and developing new color schemes for the campus buildings.
- Developed a comprehensive summer program to meet the vocational and educational needs of the students.
- Created an Admissions Committee to evaluate the criteria for admissions and then aligned the supports needed in relation to the LPS's vision and mission.
- Created a monthly Open House model (which included student and staff participation); presented at each Open House to advocates, consultants,

evaluators, school district staff, school administrators, lawyers, parents, and other community stakeholders.

2012 - 2014

**Learning Prep School, West Newton, MA (continued)**

Executive Director

***Duties and Responsibilities***

- Served as the school's chief ambassador, embracing the school's mission and ensuring that the school is well known by public school administrators and the educational community
- Reported directly to the Board of Directors on all aspects of the school's operation.
- Built strong relationships with the school's stakeholders, working in partnership with the Board of Directors to prioritize strategic objectives in order to move the school forward.
- Participated in community affairs, local, state and national organizations to support the school's mission.
- Oversaw the state reporting needs - including the management of the IEP and MCAS testing processes.
- Assessed and developed organizational structures and systems to support the school's mission.
- Led and motivated staff to insure school goals and mission.
- Mentored staff for Leadership Positions within the organization.
- Consulted and supervised with the Chief Financial Officer on budget and fiscal matters.
- Final approval of all budgetary needs and final approval of all salaries and employee contractual arrangements.
- Consulted and supervised with the Chief Financial Officer, Chief Academic Officer, and Chief Operating Officer as to the overall management of the school.

2003 - 2012

**Winchester Public Schools, Winchester, MA**

Middle school Special Education Supervisor and Out-of-District Liaison

***Duties and Responsibilities***

The special education department at McCall Middle School serves approximately 195 students as well as out of district students. There are three grade level learning centers and a multi-grade learning center.

There are approximately 35 staff, which include: Seven Special Education Teachers, seven Instructors, 12 Teacher Assistants, three Reading Specialists, two School Psychologists, two Speech Therapists, one Technology Consultant, one Clinical Counselor, three Psychology Interns, two MGH Psychiatrist Consultants and a .5 Special Education Secretary. Occupational Therapy, Physical Therapy, Vision and Audiological support is also offered.

Additional responsibilities included being part of the McCall Middle School administrative team; participating in all school initiatives and working with the Principal, two Assistant Principals, four Guidance Counselors, and the General Education staff in professional development, planning and training of special education initiatives and consulting on 504 plans, RTI initiatives, and MCAS.

***Management of Staff***

- Evaluated special education staff in conjunction with Building Principal and Assistant Principals.
- Provided leadership to building based special education staff through technical assistance with federal and state special education mandates.
- Provided training for teachers, teaching assistants and instructors.
- Responsible for the recruitment and hiring of staff.
- Responsible for the assignment of special education support staff.

***Management of Program***

- Supervised specialized programs and curriculum in programs by ensuring compliance with federal and state special education mandates.
- Worked with building principal, general education and special education staff to develop inclusion opportunities for special education students.
- Provided curriculum leadership involving the application of the curriculum frameworks, specialized instruction materials, and the development of alternative assessment tools.
- Assisted/participated in the budget process with administrative personnel.
- Oversaw building-based special education caseload assignments and building-based due process compliance, including, but not limited to the dissemination of special education communications and documents within mandated timelines.
- Worked with principals, directors and staff to complete student and special education staff schedules and caseloads.
- Worked with the Director of Pupil Services to facilitate district wide special education meetings.

2003 - 2011  
(continued)

Middle School Special Ed. Supervisor and Out-of-District Liaison

***Facilitate Development and Compliance of Individual Education Plans***

- Scheduled and chaired building-based Team meetings including Initial Evaluations, Re-evaluations and meetings to review results of Independent evaluations.
- Worked with the Director of Pupil Services, special education staff, principals, and parents to assign students to out of district placements.
- Reviewed and monitored students' Individualized Education Programs in accordance with state and federal due process requirements.
- Facilitated communication of all parties regarding the success of special education students.
- Represented the school district in Out of District Individualized Education Meetings and coordinated all services, supports and consults as needed.
- Facilitated the grade level transition process as well as the transition of students into the district from out of district placements and as new students to the district.
- Served as liaison in matter of transportation for special needs students.
- Provided direction for the team and oversee Occupational Therapy, Speech and Language, Physical Therapy, Vision and Psychological services.

2003 - 2010  
wide

Professional Development Facilitator, McCall M.S. and Winchester System-

Facilitated the planning initiatives for the professional development committee. Worked closely on a team with the Director of Pupil Services and the Assistant Superintendent. Helped support initiatives for No Child Left Behind, and the district's five year Professional Development Plan.

Attended planning sessions, facilitated logistics of professional development offerings, assisted with the implementation and evaluation of the professional development offerings as a conduit to the McCall Middle School professional development committee.

1998 - 2003

Learning Center Teacher/Inclusion Specialist, 8th Grade

1996 - 1998

Language Arts and Reading Teacher - McCall Middle School

1987 - 1996

Early Childhood Coordinator and Chapter 766 Chairperson

1986 - 1987

Chapter 188 - Early Childhood Outreach Coordinator

1983 - 1987

Project WIN, Teacher/Coordinator and Chairperson, Lynch Elementary

School

1982 - 1983

Intermediate Learning Disabled Teacher, Lynch Elementary School

1981 - 1982

Early Childhood Special Needs Teacher, Project WIN, Lynch Elementary

School

1980 - 1981

Teacher, Intellectually Handicapped Class, SEEM Collaborative, McCall Jr.

H.S.

1980 - 1981

1980 - 1980 Schl.	Early Childhood Special Needs Teacher, Project WIN, Muraco Elementary
1978 - 1980	Special Needs Resource Room Instructor, Lynch Junior High School
1977 - 1978	Teacher Aide, Severely Intellectually Handicapped Class, Lynch Jr. H.S.

## EDUCATIONAL AWARDS

### SENG Award (National Award, Massachusetts recipient)

NOMINATION STATEMENT: "As Supervisor of the middle school program Cynthia has shown commitment and great attention in meeting the needs of all special education students including highly gifted students with special needs. She is an educator who is deeply concerned about the needs of children and works tirelessly to assure that each child is taught in a way appropriate to their needs. As you are aware educating highly gifted students can be a challenge, which is only compounded when the child has special needs as well. These children have much to offer our society and need people like Cynthia DeAngelis on their team."

### Outstanding Educator Award (2006)

The Metro Bay Area Club of the National Association of Negro Business and Professional Women's Clubs, Inc.

NOMINATION STATEMENT: "Acknowledges the devotion of Mrs. Cynthia DeAngelis - 2006 Outstanding Educator; To Special needs students and their parents during the many years she has served diligently and unselfishly as teacher, counselor, facilitator and administrator."

## EDUCATION, TRAININGS AND CERTIFICATIONS

Lesley College, M.Ed., Director/Supervisor Certification Program, 1989  
Earned 60+ additional Administration/Special Education credits for  
equivalent of Winchester CAGS

Boston College, B.A., Elementary Education/Special Education, 1977

Early Childhood Concentration

Teacher of School Age Children with Moderate Special Needs \*inactive

Elementary Teacher Certification inactive

Administrator of Special Education Certification \*inactive

Elementary School Principal N-6 Certification \*inactive

Interstate Certification Compact (I.C.C)

\*Inactive as of July 2014. Currently in process of recertification

## RELATED EXPERIENCE / COMMITTEE WORK

### Grant Writer/Coordinator: Accomplishments (as Early Childhood Coordinator)

- Conceived, wrote and awarded \$111,000- \$168,000 "highly competitive" state Community Partnership grant, which was awarded for five years.
- Wrote Early Childhood Allocation federal grant and assisted in yearly writing and third party grant program evaluations of P.L.94-142/89-313 federal entitlement grants.
- Conceived, wrote and awarded \$85,000 "highly competitive" Chapter 188 grant.

- Monitored and wrote amendments for all Early Childhood grants.

## RELATED EXPERIENCE / COMMITTEE WORK (CONTINUED)

- Lesley College, Part-time Course Faculty member with the School of Undergraduate Studies
- Coordinated Statewide Early Childhood Network Meetings through Department of Education. Two-day seminar. Topics: Supervision, Team building and conflict resolution. Secured DOE funding
- Member of "Q-Team" Quality Enhancement Team. Co-sponsored by the Department of Education and Tufts University Child Study Department.  
Evaluation of Community Partnership Programs and Early Childhood Advisory Councils Statewide
- Member of the Winchester Public Schools Inclusion Study Group
- Member of the McCall Workshop Committee
- Secretary of the Winchester Educational Association
- Participant in Alternative MCAS State-wide training
- Presenter for WPS Professional Day Conference "Autism is a World" and "ADHD/ADD. What is the Difference?"
- Participant in "Designing an Evaluation Process for Measuring the Effectiveness of Special Education Programming"
- Instructor for Blast Off In Special Education – Course for Winchester Staff
- Instructor for Blast Off in Special Education II
- Member of the McCall Crisis Team
- Member of the Committee for "No Child Left Behind"
- Member of the McCall Professional Development Learning Community
- Student Teacher Supervisor for Instructors at McCall Middle School
- Facilitator of the McCall Specialized Instruction Manual for grades 6-8
- Special Education Restructuring Task Force
- DESE IEP Facilitator (Eight-day) Training
- Arlington Public Schools, Strategic Goal Committee Member
- Winchester Public Schools, Strategic Planning Committee Member

## OFFICE OF THE BOARD OF SELECTMEN

STEVEN M. BYRNE, CHAIR  
JOSEPH A. CURRO, JR., VICE CHAIR  
KEVIN F. GREELEY  
DIANE M. MAHON  
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

December 29, 2014

Cynthia DeAngelis  
47 Columbia Road  
Arlington, MA 02474

Re: Appointment: Disability Commission

Dear Ms. DeAngelis:

As a matter of the standard appointment procedure, the Board of Selectmen requests that you attend a meeting of the Board of Selectmen at Town Hall, Selectmen's Chambers, 2<sup>nd</sup> Floor, 730 Massachusetts Avenue, on Monday, January 12th at 7:15 p.m.

It is a requirement of the Board of Selectmen that you be present at this meeting. Your presence will give the Board an opportunity to meet and discuss matters with you about the area of activity in which you will be involved.

Please contact this office to confirm the date and time with either Mary Ann or Fran at the above number.

Thank you.

Very truly yours,  
BOARD OF SELECTMEN

*Marie A. Krepelka*

Marie A. Krepelka  
Board Administrator

MAK:fr



---

**Town of Arlington, Massachusetts**

**CITIZENS OPEN FORUM**



## Town of Arlington, Massachusetts

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### Request: Handicap Parking Sign @ 16 Whittemore Street

**Summary:**

Michael Lafferty

**ATTACHMENTS:**

## Type

Backup Material

## Description

Inspections Summary Report, Police memo, Fire memo, Lafferty request, meeting notice

## INSPECTIONS SUMMARY REPORT

Type of Request: Residential Handicap Parking Sign Application

Name of Applicant: **Michael Lafferty**

Address: **16 Whittemore Street**

The following Departments have **no objections** to the issuance of said license:

- Police       X
- Fire       X

The following Departments have **objections** to the issuance of said license:  
(see attached)

- Police \_\_\_\_\_
- Fire \_\_\_\_\_

# ARLINGTON POLICE DEPARTMENT

**CHIEF OF POLICE**  
Frederick Ryan



*Town of Arlington*  
MASSACHUSETTS 02474

POLICE HEADQUARTERS  
112 Mystic Street  
Telephone 781-316-3900  
Facsimile 781-316-3919

## MEMORANDUM

TO: Marie Krepelka  
Board Administrator

FROM: Officer Corey P. Rateau  
Traffic and Parking Unit

DATE: January 7, 2015

RE: Handicap Parking Request @ 16 Whittemore Street

---

Per your request, the Traffic and Parking Unit has reviewed the petition by Michael Lafferty to have a handicap parking space designated in front of his residence at 16 Whittemore Street. After reviewing the area and speaking with Mr. Lafferty we have no objection to the designation of such of space.

If granted, Mr. Lafferty should be advised that the space is not for his exclusive use and that anyone with a handicap plate or placard may utilize it. He should also be advised that as explained in the Massachusetts Office on Disability's handout, *Disability Rights Laws in Massachusetts*, a handicap plate or placard would not exempt him from the town's overnight parking ban.

CPR

Cc: Frederick Ryan, Police Chief  
Capt. Julie Flaherty, Support Services Commander  
Lt. Paul Conroy, OIC / Traffic, Details and Licensing  
Deputy James Bailey, Arlington Fire Operations  
Adam Chapdelaine, Town Manager

*"Proactive and Proud"*



## **Arlington Fire Department Town of Arlington**

### **Fire Prevention Division**

112 Mystic Street, Arlington, MA 02474

Phone: (781) 316-3803 Fax: (781) 316-3919

Email: [jbailey@town.arlington.ma.us](mailto:jbailey@town.arlington.ma.us)

James Bailey  
Deputy Chief  
Operations

Memo to: *Marie Krepelka, Board of Selectman*

From: *Deputy Chief James Bailey, Operations*

Subject: *Handicap Parking Request, 16 Whittemore St  
January 7, 2015*

In regards to the parking request for 16 Whittemore St., although this Department does have general concerns with the issuance of off-street parking permits, under the extenuating circumstances we do not object to this request for Residential Handicap Parking.

RECEIVED  
SELECTMEN'S OFFICE  
TOWN OF ARLINGTON  
MAY 13, 2014

**TOWN OF ARLINGTON**  
**Residential Handicap Parking Sign Application**

Name:

MICHAEL LAFFERTY

Address:

16 WHITTEMORE ST.

Telephone:

Home: 781-641-0461 Work: \_\_\_\_\_

Date:

12-6-14

Please read the Board of Selectmen Residential Handicap Parking Sign Policy prior to completing this application. If you have any questions regarding the application process, please contact the Office of the Board of Selectmen.

1. Please attach a photocopy of your handicap placard, or documentation that you have a handicap plate. It is not necessary to attach any additional documentation.
  
2. Are you the owner of your residence? YES
  
3. Do you have off-street parking? Narrow driveway
  
4. If yes, how many off-street spaces? 3

On the reverse side of this page, please provide the general reasons why the granting of such a space will increase your ability to access/egress your home. When providing your reasoning, you should address those questions listed in the Off-Street Parking section of the Board's policy, found on page two, that are relevant to your application.

When you have completed this application, and attached a photocopy of your placard, or documentation of your plate, please forward your application to the Office of the Board of Selectmen. Within two weeks you will be contacted regarding your application.

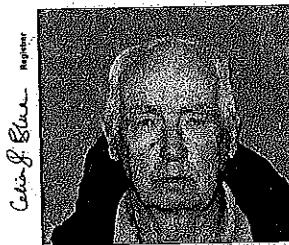
HAVING TO USE A WALKER TO GET AROUND  
I HAVE A LOT OF TROUBLE GETTING OUT OF  
MY CAR DUE TO A VERY NARROW DRIVEWAY  
THE DOOR WILL NOT OPEN WIDE ENOUGH  
TO LET ME GET OUT EASILY. HAVING  
A SPACE AT THE CURB WOULD ALLOW ME  
TO OPEN THE CAR DOOR WIDE MAKING  
IT EASY TO ENTER AND EXIT THE CAR

**P69357180**

**Expires:**

**06-19-19**

**Disabled Persons  
Parking Identification Placard**



**Commonwealth of  
Massachusetts**



## OFFICE OF THE BOARD OF SELECTMEN

STEVEN M. BYRNE, CHAIR  
JOSEPH A. CURRO, JR., VICE CHAIR  
KEVIN F. GREELEY  
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730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

January 2, 2015

Michael Lafferty  
16 Whittemore Street  
Arlington, MA 02474

Dear Mr. Lafferty:

The Board of Selectmen will be discussing your request for a residential handicap parking sign at their meeting on Monday, January 12<sup>th</sup> in the Selectmen's Chambers, Town Hall, 2<sup>nd</sup> Floor. The meeting begins at 7:15 p.m. You or your representative is invited to be in attendance at this meeting.

Kindly call the office of the Board of Selectmen to confirm the date and time with either Mary Ann or Fran.

Thank you.

Very truly yours,  
BOARD OF SELECTMEN

*Marie A. Krepelka*

Marie A. Krepelka  
Board Administrator

MAK:fr



## Town of Arlington, Massachusetts

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### For Approval: Arlington Public Art

#### **Summary:**

- a. Chairful Where You Sit 2015
- b. Art Rocks Spy Pond Park 2015
- c. Transformer Box Project 2015, Arlington Heights  
Adria Arch and Jill Manca, Arlington Public Art

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Backup Material	Chairful Where You Sit front cover
<input type="checkbox"/> Backup Material	Chairful Where You Sit back cover
<input type="checkbox"/> Backup Material	Spy Pond Rocks Artist Call
<input type="checkbox"/> Backup Material	Spy Pond poster
<input type="checkbox"/> Backup Material	Transformer Box map
<input type="checkbox"/> Backup Material	Transformer Artist Call
<input type="checkbox"/> Backup Material	Transformer application



# ChaiRful

where you sit

2015

Friday July 10 – Sunday July 12

Arlington, MA

**Chairful Where You Sit** is a temporary outdoor art installation at Whittemore Park in Arlington Center, MA, featuring reimagined chairs by local artists. It is an installation that people may sit on as well as a fundraiser. This year's installation will take place for three days only, from **Friday, July 10 to Sunday, July 12, 2015**. Chairs may be purchased by the public to help support Arlington Public Art's programs and events.

We invite you to find an old chair and improve it by creatively transforming it. To see images from last year, visit [www.chairful.blogspot.com](http://www.chairful.blogspot.com)

All chairs will be available for purchase by the public for a donation of \$100 and will support Arlington Public Art's programs. Artists may request 50% of the purchase price or may donate the full sale amount to APA.

**Application Forms & Guidelines:** Please visit [www.chairful.blogspot.com](http://www.chairful.blogspot.com), or send an email to [chairful2@gmail.com](mailto:chairful2@gmail.com).

**Application Due:** June 20, 2015

**Dates:** July 10–12, 2015

**Chair drop off:** Thursday, July 9, from 7–9 pm

**Reception and preview:** Friday, July 10, 2015 @ 6 pm

**Closing reception:** Sunday, July 12, 2015 @ 4 pm



**Artist call: submissions for temporary public art in Spy Pond Park, Arlington MA, deadline February 15, 2015**

[Click here](#) to see images of the exhibition areas for Art Rocks Spy Pond.

This juried exhibition is open to all artists 18 years or older producing temporary public art installations suitable for three week outdoor and public exposure. Artists are encouraged to explore the history of this pond and surrounding area for ideas.

**About:** Sponsored by Arlington Recreation and Arlington Public Art, this exhibit will present temporary public art to Arlington residents and beyond, promote works by artists from the Greater Boston area and beyond, enhance outdoor spaces and enrich lives. This is our second [annual temporary art exhibition](#) in an Arlington park.

**Stipends:** Accepted artists will each receive a stipend of \$100 to install and exhibit their work.

Artists are encouraged to offer their work for sale. Selected artists are expected to attend the opening reception on May 10. **Artwork will be documented in a catalog that will be available in print and online.**

[Spy Pond Park](#) extends from the base of Linwood Street to Pond Lane in East Arlington, MA. The area of exhibition is on the green space surrounding the path that runs through the park area. No tree or water installation. Some fence installation is possible.

- Works selected for the exhibition will be based on quality, design, durability, scale, suitability for an outdoor environment, safety to the public, and stable mounting. The art will be sited in Spy Pond Park by members of Arlington Public Art within guidelines set by the Arlington Parks Commission.
- Artists are responsible for transporting, installing, and removing their works.
- The organizers reserve the right to exclude pieces that pose safety, security or other risks.
- If any changes in materials, design, or fabrication that deviate from the original proposal, selected artists must get approval from the organizers.
- Organizers reserve the right to reject a sculpture or installation if a changed design is not approved.

**Juror:** Lorri Berenberg, currently on the board of the DeCordova Sculpture Park and Museum and former director of the Berenberg Gallery in Boston's South End.

#### **How to apply**

Each artist may submit proposals for **up to 3 site-specific pieces**. Artists are encouraged to visit the park prior to submitting their application.

1. Send jpegs (approx. 4" x 6", 72 dpi) of proposals and sketches or photos of existing work with your phone, CV, and website to [arlpublicart@gmail.com](mailto:arlpublicart@gmail.com). Specify materials to be used, along with title and dimensions.
2. Send a check for \$10.00 entry fee directly to **Art Rocks Spy Pond**, c/o Arlington Recreation, 422 Summer Street, Arlington MA 02476
  - All work must have been created within the past four years.
  - Free standing artwork should be secured to a base platform or in the ground in order to withstand weather and public engagement.
  - Pieces must be made with safety to the public in mind.
  - Art work in any medium will be considered, but it must be suitable for outdoor installation, safe for viewers and appropriate for extended outdoor exhibition and exposure to weather.
  - **Artists are encouraged** to consider the site and the history of the area, though this is not a requirement. All approaches are welcome.

## Important Dates

**Exhibition: May 10 - May 31, 2015**

Entry Deadline: February 15

Artists notified: March 10

Artist's acceptance to exhibit: March 19

Installation: week of May 3

Opening reception: Saturday, May 9, 3 - 5 pm

De-install: June 1 - 6

# ELEMENTS

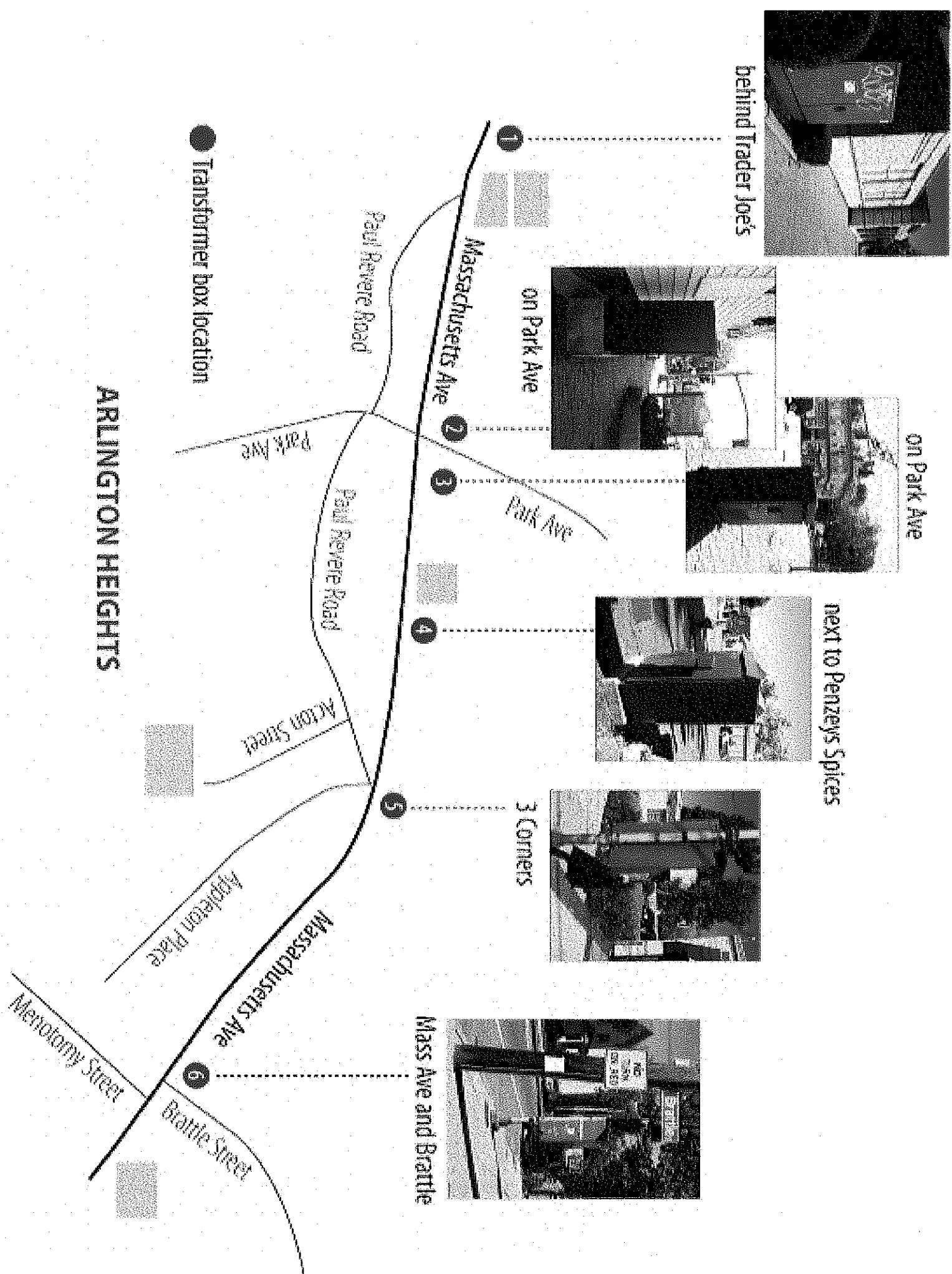
# ART

# ROCKS

# SPY POND

AN EXHIBIT OF SCULPTURE & INSTALLATION

MAY 10-31, 2015



# Call for Arlington Artists

## Transformer Box Murals 2015

sketches and entry form  
**due March 15, 2015**

- > Artists living or working in Arlington
- > Submit up to three color sketches
- > This year's theme: pattern
- > Transformer boxes are located on Massachusetts Ave in Arlington Heights
- > This is your chance to contribute to public art in your community

your art here?



download entry form: [arlingtonpublicart.blogspot.com](http://arlingtonpublicart.blogspot.com)

## Call for Arlington Artists

ARTISTS LIVING OR WORKING IN ARLINGTON (ages 18+) are invited to submit color sketches for one of six transformer box murals in Arlington as part of Arlington Public Art's Transformer Box Mural project. The theme is **pattern**: inspired from nature, math, science, or your imagination. **Sketches and application must be submitted on or before March 15, 2015.** The time frame for painting the transformer boxes is from May 1 through July 1, 2015. Submissions will be juried by two members of Arlington Public Art. Notification of accepted entries will go out the week of April 6, 2015. A stipend of \$300 will be awarded to selected artists.



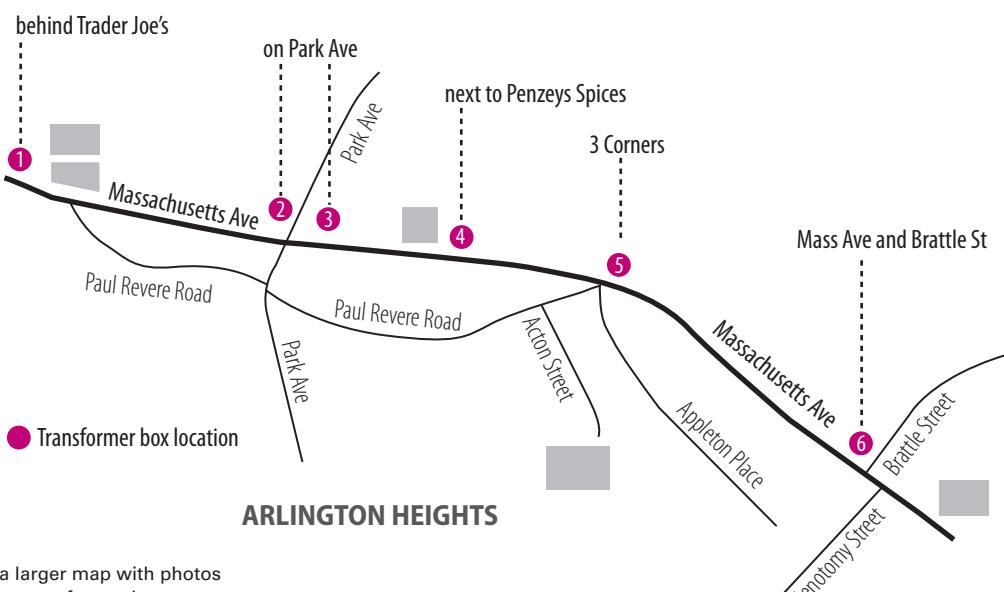
## This year's theme: pattern

### Submission Requirements

- sketches (up to three per artist) must be submitted by March 15 for consideration
- submit color sketches electronically (jpeg or pdfs only, to [arlpublicart@gmail.com](mailto:arlpublicart@gmail.com)) on supplied template (see reverse side). Please label your sketches with your last name: e.g., *lastname\_sketch1.jpeg*, *lastname\_sketch2.jpeg*, etc.
- your design must cover top, front, back, and sides  
(NOTE: some boxes are not accessible on all sides so you might have to modify your design if selected.)
- provide link to website or submit jpeg of five to ten recent works (labeled *lastname\_image1*, *lastname\_image 2*, etc.) along with résumé
- sketches must be original work and fit within our pattern-based theme

**NOTE:** The artwork will be a long-term installation and will become the property of the Town of Arlington.

## Sketches and application due on or before March 15



For a larger map with photos of the transformer boxes, see [arlingtonpublicart.blogspot.com](http://arlingtonpublicart.blogspot.com)



# Arlington Transformer Box Application 2015

Fill out application below and submit your color sketches on or before March 15 using template below.

Name \_\_\_\_\_

Address \_\_\_\_\_

email \_\_\_\_\_

phone \_\_\_\_\_

website \_\_\_\_\_

title of piece (*optional*) \_\_\_\_\_

preferred site \_\_\_\_\_

*Preferences for a specific box will be considered but not guaranteed.*

**Please note:** dimensions of the template do not accurately represent all transformer boxes. Your proposed design will require some adjustment.

## CHECKLIST

- application
- color sketch(es)
- 5–10 images of recent work
- résumé

Sketches and samples of your work should be submitted electronically as jpgs or pdfs to: [arlpublicart@gmail.com](mailto:arlpublicart@gmail.com)

**Please limit file size to 2MB or compress files before sending.**

If mailing, please send to: APA, c/o Jill Manca, 12 Colby Road, Arlington MA 02476.

## Questions?

Please email [arlpublicart@gmail.com](mailto:arlpublicart@gmail.com)

or visit

[www.arlingtonpublicart.blogspot.com](http://www.arlingtonpublicart.blogspot.com)

TOP

SIDE

FRONT

SIDE

BACK



## **Town of Arlington, Massachusetts**

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### **For Approval: Letter to Federal Aviation Administration**

#### **Summary:**

Steven M. Byrne, Chair

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Backup Material	Letter to FAA

## OFFICE OF THE BOARD OF SELECTMEN

STEVEN M. BYRNE, CHAIR  
JOSEPH A. CURRO, JR., VICE CHAIR  
KEVIN F. GREELEY  
DIANE M. MAHON  
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

### TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

January 5, 2015

Michael P. Huerta  
Administrator  
Federal Aviation Administration  
800 Independence Avenue, SW  
Washington, DC 20591

Dear Administrator Huerta,

We represent the Town of Arlington, Massachusetts, which has been adversely impacted by the recently implemented take off system for planes departing from Boston Logan International Airport. We appreciate the Federal Aviation Administration's efforts to reduce fuel consumption and carbon dioxide emissions by using performance based navigation procedures, but hope that you will reconsider this plan.

In the past, the flight paths for airplanes departing from Logan International Airport were fairly distributed amongst surrounding communities so that no specific towns, neighborhoods, or streets were more heavily impacted than others. Under the new system, this is not the case. Specific neighborhoods and streets in the Town of Arlington are now levied with the burden of severe and continuous airplane noise and pollution. We do not find this fair or appropriate. A basic tenet of the National Environmental Policy Act(NEPA) is to make certain no communities are adversely affected and Arlington has been adversely impacted by this change

We urge the FAA to consider the harmful impact that the new flight paths from Boston Logan International Airport are having on the town of Arlington and take the steps necessary to ensure that our community is not unfairly burdened under these new regulations.

Thank you for your time and we look forward to working with the Federal Aviation Administration to rectify this situation.

Very truly yours  
BOARD OF SELECTMEN

Marie A. Krepelka  
Board Administrator

Cc: Massachusetts Executive Office of Energy and Environmental Affairs  
100 Cambridge Street Suite 900 Boston, MA 02114



## **Town of Arlington, Massachusetts**

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### **Discussion and Adopt: Draft Selectmen's Handbook, Alcohol Licenses and Regulations**

#### **Summary:**

Kevin F. Greeley, Selectman

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Reference Material	DRAFT Alcohol Licenses and Regulations Manual

# TOWN OF ARLINGTON

## Massachusetts

### BOARD OF SELECTMEN

#### ALCOHOL LICENSES AND REGULATIONS



## Table of Contents

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## **I. TYPES OF LICENSES TO BE GRANTED IN ARLINGTON**

- Alcohol Licenses for Restaurants (both all alcohol and wine and malt only restaurants)
- All Alcohol Package Store Licenses
- Special (One-Day) Liquor License Policy
- Licenses for the Sale of Wine and Malt Beverages to be Consumed on the Premises in Theaters
- Sale of Wine at Farmers' Markets
- Caterer's License
- Club Licenses
- Guidelines for Extension of Premises to Patio and Outdoor Areas

## **II. Policies, Rules, and Regulations of Alcohol Licenses for Restaurants**

Approved: 9/21/09

Revised: 9/10/12

### **I. Introduction**

#### **A. General Statement of Policy**

The Town of Arlington is home to a wide array of high-quality eating establishments. As the local licensing authority for all sales of alcoholic beverages in the Town of Arlington, the Board of Selectmen ("Board") wishes to support the existing restaurant culture and to stimulate its further growth through the issuance of liquor licenses to restaurants as appropriate. The Board also intends that all service and consumption of alcohol in the Town of Arlington be done responsibly and in conformance with all legal requirements. In service of these goals, licenses will be issued under these Policies, Rules, and Regulations only to holders of Common Victualler Licenses and with the consistent expectation that licensees will conduct their establishments to the highest standards.

The Board intends that the issuance of liquor licenses will contribute to the Town's development in the following respects:

- (1) Bring to the Town quality restaurants and function rooms that provide fine dining opportunities in attractive surroundings;
- (2) Provide convenient and attractive parking options;
- (3) Improve the variety of shops in Arlington;
- (4) Promote increased foot traffic; and
- (5) Strengthen the Town's commercial tax base.

Consequently, the Board's consideration of license applications will include location, proximity of proposed premises to residential neighborhoods or business areas, traffic impact, parking availability, content of proposed menu and other aesthetic considerations, including design and layout of the proposed establishment's interior. All required notification of applications for new licenses, amended licenses, or license transfers must be provided to abutters and other affected parties in accordance with state law.

#### **B. Conditions of Licensure: Compliance with Legal Requirements**

Liquor licenses are subject to these Policies, Rules, and Regulations as well as relevant provisions of state law (Chapter 138 of the Massachusetts General Laws) and the rules, regulations, and other guidance of the Alcoholic Beverages Control Commission, as they may be from time to time amended. Further, the Board may attach such conditions and restrictions to each license it issues as it deems to be in the public interest. All licensees must be familiar with all requirements that apply to their licenses and must abide by those requirements in the operation of their establishments. In addition to legal provisions governing liquor licenses, licensees must also maintain compliance with all other requirements that apply to the operation of licensed premises, including but not limited to the State Building Code, Fire Code, and Common Victualler License requirements as well as all applicable Town Bylaws and codes. Failure to comply with these or any

other applicable provisions may lead to further conditions being placed upon the license or to license suspension or revocation.

II. Licensing

A. Types of Licenses, Seating Capacity

The Board is authorized to issue two types of licenses for the sale of alcohol to be consumed on the premises: (1) All-Alcohol; and (2) Wine and Malt Beverages. All-Alcohol Licenses may be issued for restaurants having a minimum seating capacity of 50. Wine and Malt Beverage Licenses may be issued for restaurants having a minimum seating capacity of 19. Holders of licenses to sell wine and malt beverages for consumption on the premises may not sell cordials or liqueurs unless and until the Town adopts local-option legislation to allow such sales. Seating capacity will be determined in accordance with the applicable provisions of the Massachusetts State Building Code. Unless specified otherwise, these Policies, Rules, and Regulations apply to both All-Alcohol and Wine and Malt Beverages licenses.

B. Application Process

1. Forms: Application for a license to sell alcoholic beverages for consumption on the premises requires submission of the following forms, in addition to any other information required by Chapter 138 of the General Laws or the rules, regulations, or policies of the Alcoholic Beverages Control Commission:

- (a) Alcoholic Beverages Control Commission application form;
- (b) Town of Arlington application form;
- (c) Criminal Offender Record Information ("CORI") release form; and
- (d) Department of Revenue release form.

The Board reserves the right to decline to process incomplete applications and to supplement or substitute required application materials at any time. Complete application information must be provided for each individual appearing on the application.

2. Fees:

- (a) filing fee: A non-refundable filing fee of \$100 must be submitted with each application;
- (b) license fees: If a license is granted, the following annual license fee shall be due at the time the license is issued and upon each renewal:
  - (i) All Alcohol License: \$3,000. By vote of the Board, this annual fee may be prorated for licenses granted after January 1, but in no event shall it be less than \$1,500.
  - (ii) Wine and Malt Beverage License: \$1,750. By vote of the Board, this annual fee may be prorated for licenses granted after January 1, but in no event shall it be less than \$600.

(iii) **Reductions:** The Board may choose to reduce the annual license fee by \$400 for All-Alcohol Licenses and by \$200 for Wine and Malt Beverages Licenses for applicants who demonstrate successful completion of a certified server-training program.

(c) the Board reserves the right to adjust any of the fees listed above from year to year.

(d) **form of payment:** All payments must be made by certified or personal check.

3. **Building and Site Plan:** Every application must include the following information for the proposed licensed premises on a clear and accurate scale drawing;

(a) The net floor area and dimensions of the existing room or rooms requested to be licensed, including dining rooms, function rooms, and storage rooms;

(b) The location of any proposed service bars;

(c) Moveable or secured seats and tables;

(d) Entrance and exit doors, windows, and stairs; and

(e) All rooms that are not requested to be licensed, but are on the same floor as the room or rooms that are requested to be licensed, identified as to function (e.g., kitchen, coatroom, lobby).

4. **Corporate Ownership and Interest:**

(a) **application materials:** Every application made by a corporate entity shall state the full name and home address of the entity's president, treasurer, clerk, secretary, directors, investors, developers, managers, or any other person with a financial interest in the entity. The application shall be signed by a corporate officer duly authorized by a vote of the entity's board of directors or equivalent governing board. Copies of the following documents shall be filed with the application: the entity's certificate of incorporation, the vote authorizing the application, and the vote appointing the manager or other principal representative with respect to the license being requested.

(b) **manager or principal representative:** No corporate entity may receive a license to sell alcoholic beverages for consumption on the premises unless such entity shall have first appointed, by a vote of its board of directors or equivalent governing board, a manager or principal representative who is (1) a citizen of the United States; (2) vested with properly voted authority (evidenced by written delegation) over the premises to be licensed and the conduct of all business to be conducted thereon to the same extent that the licensee itself would be if a natural person resident in the Commonwealth; and (3) satisfactory to the Board.

(c) **change in interest:** Except as otherwise provided by law, no change in the stock ownership of a corporate entity shall be made after the license has been granted or renewed without the express written approval of the Board.

5. **Advertising & Notification:** The applicant is responsible for complying with state-law requirements for advertising and written notification, including but not limited to

requirements set forth in Sections 15A and 16C of Chapter 138 of the General Laws. The Board reserves the right to order additional notification.

6. **Statements in Application Materials:** Any false statement made in connection with an application shall be cause for denial of the license or for suspension, cancellation, or revocation of a license already granted.

**C. License Duration, Renewals**

Once issued, licenses are valid until December 31. The licensee is responsible for filing a renewal application at least 45 days before December 31. At the time of renewal, all previously submitted materials must be updated as appropriate and the required fee must be paid. The Board or its designee shall inspect the licensed premises prior to renewal and the complete inspection report must be filed with every renewal application. A renewal application that fails to meet any of these requirements will be treated as an original license application

**III. Operation of Licensed Premises**

**A. Hours**

Unless otherwise fixed for a particular license, licensees may sell alcoholic beverages for consumption on the premises between the hours of 11:00 a.m. and 12:00 midnight Monday through Saturday and between the hours of 12:00 noon and 12:00 midnight Sunday, provided that food service is available during all hours in which alcoholic beverages are offered for sale. All alcoholic beverages and containers must be removed from tables and service bars one-half hour after closing time. Patrons must be off the licensed premises one hour after closing time. The licensee, the licensee's manager or principal representative, and employees or subcontractors of the licensee may be on the licensed premises after closing only in accordance with Chapter 138 of the General Laws.

**B. Supervision, Order, and Decorum**

The licensee or licensee's manager or principal representative shall be present at the licensed premises at all times during which alcoholic beverages are offered for sale. The licensee may designate and authorize some other person to act as the responsible manager and be present at the licensed premises while alcoholic beverages are offered for sale, provided that this person shall first have been identified to, and approved by, the Board. The designated manager or representative described in this section shall be available to the Board or its designee at all times during which alcoholic beverages may be sold on the licensed premises. The full name, current residential address, and current business and home telephone numbers of all designated managers or representatives described in this section shall be on file with the Board. Failure to provide this information and keep it current shall alone be sufficient cause for suspension or revocation of the license.

The manager or representative on site shall at all times maintain order and decorum on the premises and in the area immediately surrounding the premises. These areas must be kept clean, neat, and sanitary at all times. The manager or representative on site shall cooperate in all ways with Town officials, including but not limited to representatives of the Board, the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

C. Inspections

At any time, licensed premises are subject to inspection by the Board or its designee, including but not limited to the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

D. Physical Plant

The location of service bars shall not be changed without the submission of an amended floor plan to the Board and the Board's written approval. No premises will be licensed unless adequate and appropriate toilet facilities are available to patrons. No amusement devices such as electronic games shall be permitted on any licensed premises. All licensed establishments shall have suitable appliances to maintain water temperature consistently at 180° so that eating, drinking, cooking, and serving utensils are thoroughly cleaned and sanitized. Licensed premises shall not allow in windows or on outside walls the posting of advertisements or signs carrying the brand name of any alcoholic beverages. Signage on the inside of licensed premises is subject to Board approval.

E. Service and Consumption of Alcoholic Beverages and Food

1. Service of Alcoholic Beverages: Alcoholic beverages may be served only by wait staff of the licensed establishment. No pitchers of beer may be served. No alcoholic beverages may be served over a counter except a counter with fixed seating at which food service is also available. No alcoholic beverages may be served in the same area or over the same counter at which take-out food is made available for delivery or pick-up.

2. Service of Food: Food service must be available in all areas in which alcoholic beverages are served. No more than two alcoholic beverages per person may be served without food. After two alcoholic beverages have been served and consumed, a third such beverage may be served only with the delivery of food. Food must be served on solid, reusable dinnerware with silverware. Paper plates, disposable glasses, or plastic cutlery are not permitted.

3. Consumption of Alcoholic Beverages on the Premises: Only alcoholic beverages sold on the licensed premises shall be consumed on the premises: no patron shall be permitted to bring alcoholic beverages purchased off-site onto any licensed premises for consumption. All alcoholic beverages purchased on the premises shall be consumed on the premises, except unfinished bottles of wine re-sealed in accordance with Chapter 138, Section 12, of the General Laws and regulations of the Alcohol Beverages Control Commission. Even if the licensee's Common Victualler permit allows for outdoor seating, alcoholic beverages may be served in an outdoor space only if: (1) the description of the licensed premises expressly includes such outdoor space; (2) the outdoor space is accessible only through the indoor portion of the licensed premises; (3) the outdoor space is surrounded by a suitable barrier or other physical element that maintains separation between the licensed premises and the general public; and (4) the outdoor space is privately owned.

IV. Status of License

A. Exercise of License: Once a license is granted under these Policies, Rules, and Regulations, the licensee shall commence construction or alteration of the licensed premises within forty-five days and shall be in full operation within four months, unless a longer period is authorized by the Board. Thereafter, the licensee shall operate the licensed premises continuously in accordance with the terms of the license. Closing of the licensed premises for seven consecutive days or for any ten days during the calendar year (other than outside the establishment's normal business hours) without prior written approval of the Board shall be considered abandonment of the license and sufficient grounds for revocation.

B. Violations

1. Generally: Any violation of Chapter 138 of the General Laws pertaining to licenses for the sale of alcoholic beverages to be consumed on the premises; any violation of the rules, regulations, or policies of the Alcoholic Beverages Control Commission relative to the sale of alcoholic beverages to be consumed on the premises; any violation of these Policies, Rules, and Regulations; or any violation of the conditions attached to any license granted under these Policies, Rules, and Regulations may result in additional conditions being placed on the license or in the cancellation, suspension, or revocation of the license following a hearing before the Board. Any action taken under this section shall be commenced by written notification to the licensee at the address on file with the Board. A hearing held under this section shall commence within two weeks or as soon as reasonably practicable thereafter following written notification. The Board or its agents may seize a license immediately if, in the Board's discretion, public health or safety warrants such a ~~seizure and the penalty must begin on the same day of the week as the violation occurred~~. If a license is seized immediately, a hearing will be commenced within two weeks of the seizure, unless the licensee assents in writing to a longer time.

**Comment [EM1]:** Suggested change from December 2013

2. Service to Underage Individuals: If, after notice and a hearing, the Board or its designee concludes that an under-aged person was served alcohol at a licensed establishment, the Board shall suspend the license as provided below, or for such other time as the Board in its discretion shall choose.

First offense:	3-5 days suspension
Second offense:	6-10 days suspension
Third offense:	10-15 days suspension or revocation

This section shall not impair the Board's discretion to impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate. Such other penalties may include (but are not limited to) rolling back hours of operation, fixing other conditions on the license, or suspending or fixing conditions on the licensee's other licenses, such as Common Victualler or entertainment.

In fixing the penalty for sales to underaged individuals, the Board may consider the following factors:

- (a) licensee's policies and procedures and application of those policies and procedures to guard against service to underaged individuals;
- (b) severity and type of offense;
- (c) efforts made to identify purchasers of alcohol;
- (d) appearance of the underaged purchaser of alcohol;
- (e) quality of the evidence of a violation;
- (f) circumstances of the case; and
- (g) number and nature of licensee's previous violations.

C. Transfers

Licenses granted under these Policies, Rules, and Regulations may not be transferred or assigned except with the approval of the Board and in accordance with Chapter 138 of the General Laws and rules, regulations, and policies of the Alcoholic Beverages Control Commission.

### **III. Policies, Rules, and Regulations for All Alcohol Package Store Licenses**

**Approved:**

**Comment [EM2]:** Can't find approval date.

#### I. Introduction

##### A. General Statement of Policy

The Town of Arlington is home to a wide array of retail establishments. As the local licensing authority for all sales of alcoholic beverages in the Town of Arlington, the Board of Selectmen (“Board”) wishes to support the existing business climate and to stimulate its further growth through the issuance of Package Store Licenses as appropriate. The Board also intends that all service and consumption of alcohol in the Town of Arlington be done responsibly and in conformance with all legal requirements. In service of these goals, licenses will be issued under these Policies, Rules, and Regulations only to holders of package store licenses with the consistent expectation that licensees will conduct their establishments to the highest standards.

The Board intends that the issuance of package store licenses will contribute to the Town’s development in the following respects:

- (1) Bring to the Town quality shops that provide retail alcohol products in attractive surroundings;
- (2) Provide convenient and attractive parking options;
- (3) Improve the variety of shops in Arlington;
- (4) Promote increased foot traffic; and
- (5) Strengthen the Town’s commercial tax base.

Consequently, the Board’s consideration of license applications will include number of existing dispensaries in the community, views of the inhabitants, traffic, noise, size of business operation intended, type of business operation intended, and reputation of applicant. All required notification of applications for new licenses, amended licenses, or license transfers must be provided to abutters and other affected parties in accordance with state law.

##### B. Conditions of Licensure: Compliance with Legal Requirements

Package store licenses are subject to these Policies, Rules, and Regulations as well as relevant provisions of state law (Chapter 138 of the Massachusetts General Laws) and the rules, regulations, and other guidance of the Alcoholic Beverages Control Commission, as they may be from time to time amended. Further, the Board may attach such conditions and restrictions to each license it issues as it deems to be in the public interest. All licensees must be familiar with all requirements that apply to their licenses and must abide by those requirements in the operation of their establishments. In addition to legal provisions governing liquor licenses, licensees must also maintain compliance with all other requirements that apply to the operation of licensed premises, including but not limited to the State Building Code, Fire Code, and *Sanitary Code* requirements as well as all applicable Town Bylaws and codes. Failure to comply with these or

any other applicable provisions may lead to further conditions being placed upon the license or to license suspension or revocation. *All taxes and charges owed the Town must be paid on a current basis. Failure to comply with any of these laws and regulations shall be sufficient cause for revocation, suspension, or modification of license.*

II. Licensing

A. Application Process

1. Forms: Application for a license for the sale at retail of alcoholic beverages not to be drunk on the premise where sold requires submission of the following forms, in addition to any other information required by Chapter 138 of the General Laws or the rules, regulations, or policies of the Alcoholic Beverages Control Commission:

- (a) Alcoholic Beverages Control Commission application form;
- (b) Town of Arlington application form;
- (c) Criminal Offender Record Information ("CORI") release form; and
- (d) Department of Revenue release form.

The Board reserves the right to decline to process incomplete applications and to supplement or substitute required application materials at any time. Complete application information must be provided for each individual appearing on the application. *Once denied, applications may not be submitted for (12) months.*

2. Fees:

- (a) filing fee: A non-refundable filing fee of \$250 must be submitted with each application;
- (b) license fees: If a license is granted, the following annual license fee of \$2,500 shall be due at the time the license is issued and upon each renewal.
- (c) The Board reserves the right to adjust any of the fees listed above from year to year.
- (d) form of payment: All payments must be made by certified or personal check.

3. Building and Site Plan: Every application must include the following information for the proposed licensed premises on a clear and accurate scale drawing;

- (a) The net floor area and dimensions of the existing room or rooms requested to be licensed, including storage rooms; and
- (b) Entrance and exit doors, windows, and stairs.

4. Corporate Ownership and Interest:

- (a) application materials: Every application made by a corporate entity shall state the full name and home address of the entity's president, treasurer, clerk, secretary, directors, investors, developers, managers, or any other person with a financial interest in the entity. The application shall be signed by a corporate officer duly

authorized by a vote of the entity's board of directors or equivalent governing board. Copies of the following documents shall be filed with the application: the entity's certificate of incorporation, the vote authorizing the application, and the vote appointing the manager or other principal representative with respect to the license being requested. *Any change in corporate name or status or any change in trade name (DBA) shall require the prior approval of the Board.*

- (b) manager or principal representative: No corporate entity may receive a license to sell alcoholic beverages for consumption on the premises unless such entity shall have first appointed, by a vote of its board of directors or equivalent governing board, a manager or principal representative who is (1) a citizen of the United States; (2) vested with properly voted authority (evidenced by written delegation) over the premises to be licensed and the conduct of all business to be conducted thereon to the same extent that the licensee itself would be if a natural person resident in the Commonwealth; and (3) satisfactory to the Board. *The licensee shall not change managers, change corporate officers without first obtaining the approval of the Board. No person may have a direct or indirect beneficial interest in a license without first obtaining the approval of the Board.*
- (c) change in interest: Except as otherwise provided by law, no change in the stock ownership of a corporate entity shall be made after the license has been granted or renewed without the express written approval of the Board.

5. Advertising & Notification: The applicant is responsible for complying with state-law requirements for advertising and written notification, including but not limited to requirements set forth in Sections 15A and 16C of Chapter 138 of the General Laws. The Board reserves the right to order additional notification.

6. Statements in Application Materials: Any false statement made in connection with an application shall be cause for denial of the license or for suspension, cancellation, or revocation of a license already granted.

B. License Duration, Renewals

Once issued, licenses are valid until December 31. The licensee is responsible for filing a renewal application at least 45 days before December 31. At the time of renewal, all previously submitted materials must be updated as appropriate and the required fee must be paid. The Board or its designee shall inspect the licensed premises prior to renewal and the complete inspection report must be filed with every renewal application. A renewal application that fails to meet any of these requirements will be treated as an original license application.

*Any licensee intending to close a place of business, whether on a temporary or permanent basis, must notify the Board in writing before such closing stating the reason and length of such closing. Failure to provide such notice may result in the revocation of the license.*

*The licensee shall immediately notify, in writing, the Board of any proceedings brought by or against the licensee under the bankruptcy laws or of any other court proceedings which may affect the status of the license.*

III. Operation of Licensed Premises

A. Hours

Unless otherwise fixed for a particular license, licensees may sell alcoholic beverages not for consumption on the premises between the hours of 8:00 a.m. and 12:00/midnight Monday through Saturday and between the hours of 102:00 A.M.~~noon~~ and 12:00 midnight Sunday. The licensee, the licensee's manager or principal representative, and employees or subcontractors of the licensee may be on the licensed premises after closing only in accordance with Chapter 138 of the General Laws.

*No sale or delivery of alcoholic beverages shall be made except during the legal hours of sale. Alcoholic beverages shall be transported or delivered for sale only upon orders actually received at the licensed business prior to the shipment thereof and must comply with the following. Package store licensees are required to keep a written record of the name and address of every person to whom a delivery is made outside of the premises. Additionally, the record must include the information as to the amount of alcoholic beverages that were delivered, the date and time of delivery, and the signature of the person receiving the delivery. If such signature is illegible, the licensee is required to have the patron print his or her name under said signature. Such records must be maintained for a period of not less than one year from the last entry therein and must be available to the Licensing Board and its agents for inspection at any time in a form suitable for easy inspection.*

B. Supervision, Order, and Decorum

The licensee or licensee's manager or principal representative shall be present at the licensed premises at all times during which the sale of alcoholic beverages not for consumption on premise are sold. The licensee may designate and authorize some other person to act as the responsible manager and be present at the licensed premises while alcoholic beverages are offered for sale, provided that this person shall first have been identified to, and approved by, the Board. The designated manager or representative described in this section shall be available to the Board or its designee at all times during which alcoholic beverages may be sold on the licensed premises. The full name, current residential address, and current business and home telephone numbers of all designated managers or representatives described in this section shall be on file with the Board. Failure to provide this information and keep it current shall alone be sufficient cause for suspension or revocation of the license.

The manager or representative on site shall at all times maintain order and decorum on the premises and in the area immediately surrounding the premises. These areas must be kept clean, neat, and sanitary at all times. The manager or representative on site shall cooperate in all ways with Town officials, including but not limited to representatives of the Board, the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

C. Inspections

At any time, licensed premises are subject to inspection by the Board or its designee, including but not limited to the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

D. Physical Plant

The store layout shall not be changed without the submission of an amended floor plan to the Board and the Board's written approval. No amusement devices such as electronic games shall be permitted on any licensed premises. Licensed premises shall not allow in more than one-third of windows or on outside walls the posting of advertisements or signs carrying the brand name of any alcoholic beverages. Signage on the inside of licensed premises is subject to Board approval.

E. Service and Employee Training

*An up-to-date list of all employees shall be available on the premises at all times for review by authorized agents of the Board. Any employee making a sale of alcoholic beverages must be at least twenty-one (21) years of age and provide a C.O.R.I. report. The Board in its sole discretion shall make judgments as to whether any violation warrants disapproval.*

*An employee education and training program on the proper procedures for verifying that patrons are at least 21 years of age and not intoxicated shall be provided by the licensee. A written description of such program, along with a written policy outlining the employees' responsibilities and the disciplinary measures which will be taken against any employee for violating said policy, shall be filed with the Board and be maintained on the premises at all times. A signed certification of each employee, indicating that the employee has received the described training and has reviewed and understands the written policy describing his or her responsibilities and the disciplinary action which will be taken for violations, shall be maintained on the premises at all times. Copies of all such documents and certifications shall be available to the licensing authority, or any authorized agent thereof, upon demand.*

*No alcoholic beverages shall be sold to anyone under twenty-one (21) years of age or any intoxicated person. Signage indicating, "If you look under 30 years of age, you will be carded" shall be conspicuously displayed. Only an original driver's license with photograph or a Massachusetts Liquor Purchase identification Card shall be accepted as proof of age.*

F. Sampling

*No licensee, manager, server, agent, or employee shall knowingly permit such consumption of alcoholic beverages within or upon the retail package store licensed premises, or upon any area under the direction and control of the licensee, except for "sample tasting" as herein described.*

*Retail Package Store licensees may provide customers, free of charge, "sample tastings" of wines (each customer has a daily limit of one 1 ounce serving and the store is restricted to serving no more than 6 liters per 30 day period), provided, however, that the store may serve only those alcoholic beverages for which it is licensed to sell. Sample tastings of any alcoholic beverages other than as herein described, or in an amount which exceeds the limits herein described, within or upon the retail package store licensed premises shall be strictly prohibited. Only wine tastings shall be permitted. No beer tastings are allowed.*

IV. Status of License

A. Exercise of License

Once a license is granted under these Policies, Rules, and Regulations, the licensee shall commence construction or alteration of the licensed premises within forty-five days and shall be in full operation within four months, unless a longer period is authorized by the Board. Thereafter, the licensee shall operate the licensed premises continuously in accordance with the terms of the license. Closing of the licensed premises for seven consecutive days or for any ten days during the calendar year (other than outside the establishment's normal business hours) without prior written approval of the Board shall be considered abandonment of the license and sufficient grounds for revocation.

All licenses and permits issued by the Town shall be displayed on the premises in a conspicuous place where the public has access and may read.

B. Violations

1. Generally: Any violation of Chapter 138 of the General Laws pertaining to licenses for the sale of alcoholic beverages to be consumed on the premises; any violation of the rules, regulations, or policies of the Alcoholic Beverages Control Commission relative to the sale of alcoholic beverages not to be consumed on the premises; any violation of these Policies, Rules, and Regulations; or any violation of the conditions attached to any license granted under these Policies, Rules, and Regulations may result in additional conditions being placed on the license or in the cancellation, suspension, or revocation of the license following a hearing before the Board. Any action taken under this section shall be commenced by written notification to the licensee at the address on file with the Board. A hearing held under this section shall commence within two weeks or as soon as reasonably practicable thereafter following written notification. The Board or its agents may seize a license immediately if, in the Board's discretion, public health or safety warrants such a seizure. If a license is seized immediately, a hearing will be commenced within two weeks of the seizure, unless the licensee assents in writing to a longer time.

2. Service to Underage Individuals: If, after notice and a hearing, the Board or its designee concludes that an under-aged person was sold alcohol at a licensed establishment, the Board shall suspend the license as provided below, or for such other time as the Board in its discretion shall choose.

First offense:	3-5 days suspension
Second offense:	6-10 days suspension
Third offense:	10-15 days suspension or revocation

This section shall not impair the Board's discretion to impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate. Such other penalties may include (but are not limited to) rolling back hours of operation, fixing other conditions on the license.

In fixing the penalty for sales to underage individuals, the Board may consider the following factors:

- (a) licensee's policies and procedures and application of those policies and procedures to guard against service to underage individuals;
- (b) severity and type of offense;
- (c) efforts made to identify purchasers of alcohol;
- (d) appearance of the underage purchaser of alcohol;
- (e) quality of the evidence of a violation;
- (f) circumstances of the case; and
- (g) number and nature of licensee's previous violations.

B. Transfers

Licenses granted under these Policies, Rules, and Regulations may not be transferred or assigned except with the approval of the Board and in accordance with Chapter 138 of the General Laws and rules, regulations, and policies of the Alcoholic Beverages Control Commission. *Assignment of stock in incorporated licensed places for the purpose of safeguarding the assignee*

*on loans, etc., gives no right to such assignee to conduct the business of the licensee; therefore, licensees must notify the Board immediately when the assignee forecloses under such assignment of stock.*

## **IV. Special (One-Day) Liquor License Policy**

APPROVED: 6/7/10

REVISED: 4/12/12

1. A one-day "special" license for the sale of **wine & malt only beverages** may be granted to the responsible manager of any indoor or outdoor (see #2) activity or enterprise.  
A one-day "special" license for the sale of **all alcoholic beverages** may be granted to the responsible manager of any non-profit organization conducting any indoor or outdoor (see #2) activity or enterprise.
2. Sale and consumption are limited to inside of the premises. Unless otherwise voted by the Board of Selectmen ("Board"), outside consumption is prohibited. If allowed by Board vote, outdoor sale and consumption may occur only in a defined outside area away from public ways.
3. Consistent with Section 14 of Massachusetts General Laws Chapter 138, a responsible manager and alternate should be named by the organization, one of whom shall be on the premises at all times during the day(s) in question. The responsible manager must be at least 21 years of age. The name(s) and 24-hour contact information shall be on file with the Office of the Board of Selectmen and Police Services Division.
4. The Local Licensing Authority (Board of Selectmen) may impose reasonable conditions and limitations on any special license that is granted, including but not limited to the hours of operation and the presence of a police detail(s).
5. **Security.** The applicant must present a security plan to the Arlington Police Department before filing this application. This security plan must include provisions for:
  - crowd control,
  - dealing with unruly patrons,
  - emergency evacuations,
  - traffic/parking considerations, and
  - controlling access to alcohol by underaged persons.

Unless circumstances warrant otherwise, the security plan will require one police officer for an event that 150 people are expected to attend and two officers for an event that 300 or more people are expected to attend. *The Chief of Police, Operations Commander, or their designee (see attached Town Hall Events-Bar Requirements Sheet) must sign off on this application as to the security plan for the event before the application is filed with the Board of Selectmen.* Moreover, applicants must demonstrate that people who will be serving alcoholic beverages are at least 21 years of age and that at least one person who will be staffing each point of service of alcoholic beverages has certification in TIPS or comparable safety training.

6. Unless otherwise voted by the Board of Selectmen, each special license shall cover a single activity or enterprise.

- a. A special license generally is granted for a single day only. The special license may be granted for more than one day at a time **only** if the activity or enterprise spans more than one day.
- b. The fee for a special license shall be charged on a per-day basis.

7. The Board reserves the right to decline to consider any application filed later than 21 days before the proposed event. The Board may require the filing of references by the applicant at its discretion.

8. Organizers of any event requiring a one-day "special" liquor license must comply with state statutory and regulatory requirements, which can be found on the website of the Alcoholic Beverages Control Commission: [WWW.MASS.GOV/ABCC](http://WWW.MASS.GOV/ABCC). See Chapter 138, Section 14, of the Massachusetts General Laws and 204 C.M.R. 7.00. If necessary, organizers should consult private counsel to ensure compliance with these legal requirements.

## **V. Rules and Regulations for Licenses for the Sale of Wine and Malt Beverages to be Consumed on the Premises in the Theaters**

Approved: May 21, 2012

### **I. GENERAL CONDITIONS**

#### **A. Conditions of Licensure: Compliance with Legal Requirements**

Licenses for the sale of wine and malt beverages are subject to these Rules and Regulations as well as relevant provisions of state law (Chapter 138 of the Massachusetts General Laws) and the rules, regulations, and other guidance of the Alcoholic Beverages Control Commission, as they may be from time to time amended. Further, the Board may attach such conditions and restrictions to each license it issues as it deems to be in the public interest. All licensees must be familiar with all requirements that apply to their licenses and must abide by those requirements in the operation of their establishments. In addition to legal provisions governing liquor licenses, licensees must also maintain compliance with all other requirements that apply to the operation of licensed premises, including but not limited to the State Building Code, Fire Code, and Common Victualler and/or Food Vendor License requirements as well as all applicable Town Bylaws and codes. Failure to comply with these or any other applicable provisions may lead to further conditions being placed upon the license or to license suspension or revocation.

#### **B. Application Process**

1. **Forms:** Application for a license to sell alcoholic beverages for consumption on the premises requires submission of the following forms, in addition to any other information required by Chapter 138 of the General Laws or the rules, regulations, or policies of the Alcoholic Beverages Control Commission:

- (a) Alcoholic Beverages Control Commission application form;
- (b) Town of Arlington application form;
- (c) Criminal Offender Record Information ("CORI") release form; and
- (d) Department of Revenue release form.

The Board reserves the right to decline to process incomplete applications and to supplement or substitute required application materials at any time. Complete application information must be provided for each individual appearing on the application.

#### **2. Fees:**

- (a) **filing fee:** A non-refundable filing fee of \$100 must be submitted with each application;

(b) license fees: The amount of annual license fees shall be tiered based on the number of days per year that the applicant expects to be open, as follows:

up to 50 days	\$ 750.00
50-99 days	\$1,250.00
100 days or more	\$1,750.00

For purposes of calculating the applicable annual license fee, any portion of a day or evening during which the applicant's establishment is open to the public for a movie showing, live performance, or other entertainment will be counted as one day.

By vote of the Board, this annual fee may be prorated for licenses granted after January 1.

The annual license fee will be prorated by 50% for licenses granted in 2012.

The Board will reduce the annual license fee by \$200 for applicants who demonstrate successful completion of a certified server-training program.

(c) The Board reserves the right to adjust any of the fees listed above from year to year.

(d) form of payment: All payments must be made by certified or personal check.

3. Building and Site Plan: Every application must include the following information for the proposed licensed premises on a clear and accurate scale drawing;

(a) The net floor area and dimensions of the existing room or rooms requested to be licensed, including dining rooms, function rooms, and storage rooms;

(b) The location of any proposed service bars;

(c) Moveable or secured seats and tables;

(d) Entrance and exit doors, windows, and stairs; and

(e) All rooms that are not requested to be licensed, but are on the same floor as the room or rooms that are requested to be licensed, identified as to function (e.g., kitchen, coatroom, lobby).

4. Corporate Ownership and Interest:

(a) application materials: Every application made by a corporate entity shall state the full name and home address of the entity's president, treasurer, clerk, secretary, directors, investors, developers, managers, or any other person with a financial interest in the entity. The application shall be signed by a corporate officer duly authorized by a vote of the entity's board of directors or equivalent governing board. Copies of the following documents shall be filed with the application: the entity's certificate of incorporation, the vote authorizing the application, and the vote

appointing the manager or other principal representative with respect to the license being requested.

- (b) manager or principal representative: No corporate entity may receive a license to sell alcoholic beverages for consumption on the premises unless such entity shall have first appointed, by a vote of its board of directors or equivalent governing board, a manager or principal representative who is (1) a citizen of the United States; (2) vested with properly voted authority (evidenced by written delegation) over the premises to be licensed and the conduct of all business to be conducted thereon to the same extent that the licensee itself would be if a natural person resident in the Commonwealth; and (3) satisfactory to the Board.
- (c) change in interest: Except as otherwise provided by law, no change in the stock ownership of a corporate entity shall be made after the license has been granted or renewed without the express written approval of the Board.

5. Advertising & Notification: The applicant is responsible for complying with state-law requirements for advertising and written notification, including but not limited to requirements set forth in Sections 15A and 16C of Chapter 138 of the General Laws. The Board reserves the right to order additional notification.

6. Statements in Application Materials: Any false statement made in connection with an application shall be cause for denial of the license or for suspension, cancellation, or revocation of a license already granted.

C. License Duration, Renewals

Once issued, licenses are valid until December 31. The licensee is responsible for filing a renewal application at least 45 days before December 31. At the time of renewal, all previously submitted materials must be updated as appropriate and the required fee must be paid. The Board or its designee shall inspect the licensed premises prior to renewal and the complete inspection report must be filed with every renewal application. A renewal application that fails to meet any of these requirements will be treated as an original license application.

D. Supervision, Order, and Decorum

The licensee or licensee's manager or principal representative shall be present at the licensed premises at all times during which alcoholic beverages are offered for sale. The licensee may designate and authorize some other person to act as the responsible manager and be present at the licensed premises while alcoholic beverages are offered for sale, provided that this person shall first have been identified to, and approved by, the Board. The designated manager or representative described in this section shall be available to the Board or its designee at all times during which alcoholic beverages may be sold on the licensed premises. The full name, current residential address, and current business and home telephone numbers of all designated managers or representatives described in this section shall be on file with the Board. Failure to provide this information and keep it current shall alone be sufficient cause for suspension or revocation of the license.

The manager or representative on site shall at all times maintain order and decorum on the premises and in the area immediately surrounding the premises. These areas must be kept clean, neat, and sanitary at

all times. The manager or representative on site shall cooperate in all ways with Town officials, including but not limited to representatives of the Board, the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

E. Inspections

At any time, licensed premises are subject to inspection by the Board or its designee, including but not limited to the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

F. Physical Plant

The location of service bars shall not be changed without the submission of an amended floor plan to the Board and the Board's written approval. No premises will be licensed unless adequate and appropriate toilet facilities are available to patrons. All licensed establishments shall have suitable appliances to maintain water temperature consistently at 180° so that eating, drinking, cooking, and serving utensils are thoroughly cleaned and sanitized. Licensed premises shall not allow in windows or on outside walls the posting of advertisements or signs carrying the brand name of any alcoholic beverages. Signage on the inside of licensed premises is subject to Board approval.

G. Violations

1. Generally: Any violation of Chapter 138 of the General Laws pertaining to licenses for the sale of alcoholic beverages to be consumed on the premises; any violation of the rules, regulations, or policies of the Alcoholic Beverages Control Commission relative to the sale of alcoholic beverages to be consumed on the premises; any violation of these Rules, and Regulations; or any violation of the conditions attached to any license granted under these Rules and Regulations may result in additional conditions being placed on the license or in the cancellation, suspension, or revocation of the license following a hearing before the Board. Any action taken under this section shall be commenced by written notification to the licensee at the address on file with the Board. A hearing held under this section shall commence within two weeks or as soon as reasonably practicable thereafter following written notification. The Board or its agents may seize a license immediately if, in the Board's discretion, public health or safety warrants such a seizure. If a license is seized immediately, a hearing will be commenced within two weeks of the seizure, unless the licensee assents in writing to a longer time.

2. Service to Underage Individuals: If, after notice and a hearing, the Board or its designee concludes that an under-aged person was served alcohol at a licensed establishment, the Board shall suspend the license as provided below, or for such other time as the Board in its discretion shall choose.

First offense:	3-5 days suspension
Second offense:	6-10 days suspension
Third offense:	10-15 days suspension or revocation

This section shall not impair the Board's discretion to impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate. Such other penalties may include (but are not limited to) rolling back hours of operation, fixing other conditions on the license, or suspending or fixing conditions on the licensee's other licenses, such as Common Victualler or entertainment.

In fixing the penalty for sales to underaged individuals, the Board may consider the following factors:

- (a) licensee's policies and procedures and application of those policies and procedures to guard against service to underaged individuals;
- (b) severity and type of offense;
- (c) efforts made to identify purchasers of alcohol;
- (d) appearance of the underaged purchaser of alcohol;
- (e) quality of the evidence of a violation;
- (f) circumstances of the case; and
- (g) number and nature of licensee's previous violations.

3. **Compliance Checks:** Theaters holding licenses for the sale of wine and malt beverages shall be subject to alcohol compliance checks to the extent permitted by law and to the same extent as any other licensee for the sale of alcoholic beverages to be consumed on or off the premises within the Town.

H. **Transfers**

Licenses granted under these Rules and Regulations may not be transferred or assigned except with the approval of the Board and in accordance with Chapter 138 of the General Laws and rules, regulations, and policies of the Alcoholic Beverages Control Commission.

II. **SPECIAL CONDITIONS FOR THEATERS**

A. **Theater Venues Eligible for License to Sell Wine and Malt Beverages**

A license for the sale of wine and malt beverages to be consumed on the premises may be granted to any privately operated enclosed entertainment facility with a minimum seating capacity of 100 that is used primarily for the presentation of motion pictures or dramatic, comedic, or musical performances.

B. **Hours of Sale**

Sales of wine and malt beverages shall be permitted during regular hours of operation of the theater.

C. **Who May Purchase**

Wine and malt beverages may be sold only to patrons holding tickets for a movie, performance, or other entertainment to be presented in the licensed establishment on the date and at the approximate time of the sale.

D. **Limit on Sales**

No patron may be served more than two wine or malt beverages per day. No more than two wine or malt beverages may be purchased by a patron at one time. No pitchers of beer or bottles or carafes of wine shall be served. Only alcoholic beverages sold on the licensed premises shall be consumed on the premises: no patron shall be permitted to bring alcoholic beverages purchased off-site onto any licensed premises for consumption. All alcoholic beverages purchased on the premises shall be consumed on the premises.

E. Place of Sales, Consumption

Wine and malt beverages may be sold only from one dedicated counter area. Once purchased, wine and malt beverages may be brought into any area of the theater in which food and non-alcoholic beverages are allowed to be consumed. Alcoholic beverages may not be served outside the licensed premises.

## **VI. Sale of Wine at Farmers' Markets**

In 2010, the state authorized the sale of sealed bottles of wine by licensed farmer-wineries for consumption off the premises at "agricultural events" designated by the state Department of Agricultural Resources through Chapter 138 Section 15F.

**Section 15F.** Notwithstanding any other provision of chapter 138, in any city or town wherein the granting of licenses to sell wine is authorized under this chapter, the local licensing authority may issue to an applicant authorized to operate a farmer-winery under section 19B or in any other state, a special license for the sale of wine produced by or for the licensee in sealed containers for off-premise consumption at an indoor or outdoor agricultural event. All sales of wine shall be conducted by an agent, representative, or solicitor of the licensee to customers who are at least 21 years of age. A licensee under this section may provide, without charge, samples of wine to prospective customers at an indoor or outdoor agricultural event. All samples of wine shall be served by an agent, representative, or solicitor of the licensee to individuals who are at least 21 years of age and all samples shall be consumed in the presence of such agent, representative, or solicitor of the licensee; provided, however, that no sample shall exceed one (1) ounce of wine and no more than 5 samples shall be served to an individual prospective customer. For the purposes of this section, the term "agricultural event" shall be limited to those events certified by the department of agricultural resources as set forth in this section.

An applicant for a special license under this section shall first submit a plan to the department of agricultural resources that shall demonstrate that the event is an agricultural event. The plan shall include a description of the event, the date, time and location of the event, a copy of the operational guidelines or rules for the event, written approval that the prospective licensee has been approved as a vendor at the event, including the name and contact information of the on-site manager, and a plan depicting the premises and the specific location where the license will be exercised.

Upon review of the plan, the department may certify that the event is an agricultural event; provided, however, that in making that determination, the department shall consider the following factors: (i) operation as a farmers' market or agricultural fair approved or inspected by the department; (ii) frequency and regularity of the event, including dates, times and locations; (iii) number of vendors; (iv) terms of vendor agreements; (v) presence of an on-site manager; (vi) training of the on-site manager; (vii) operational guidelines or rules, which shall include vendor eligibility and produce source; (viii) focus of event on local agricultural products grown or produced within the market area; (ix) types of shows or exhibits, including those which are described in clause (f) of the first paragraph of section 2 of chapter 128; and (xi) sponsorship or operation by an agricultural or horticultural society organized under the laws of the commonwealth, or by a local grange organization and/or association whose primary purpose is the promotion of agriculture and its allied industries. The department of agricultural resources may promulgate rules and regulations necessary for the operation, oversight, approval, and inspection of agricultural events under this section.

An applicant for a license under this section shall file with the local licensing authority along with its application proof of certification from the department of agricultural resources that the event is an agricultural event. A special license under this section shall designate the specific premises, and dates and times covered. A special license may be granted for an indoor or outdoor agricultural event which takes place on multiple dates and/or times during a single calendar year but no special license shall be granted for an agricultural event that will not take place within 1 calendar year. The special license shall be displayed conspicuously by the licensee at the licensed premises. A copy of a special license granted by the local licensing authority shall be submitted by the authority to the commission at least 7 days prior to the date the agricultural event is first scheduled to begin. The local licensing authority may charge a fee for each special license granted, but such fee shall not exceed fifty \$50. A special license granted under this section shall be nontransferable to any other person, corporation, or organization and shall be clearly marked nontransferable on its face.

The commission may promulgate rules and regulations it deems appropriate to effectuate the purposes of this section.

## **VII. Rules and Regulations for Caterer's Licenses**

Effective October 31, 2012, the legislature authorized a new type of annual, all alcoholic beverages license called the "Caterer's License." On August 1, 2012, the Governor approved Chapter 190 of the Acts of 2012 that created a new license Caterer's License pursuant to M.G.L. c.138, §12C. The Alcoholic Beverages Control Commission (ABCC) is responsible for issuing the license directly to a catering business for an annual fee of \$1500.00. There is no local involvement. A caterer's license authorizes the licensee to store, transport, sell and deliver alcoholic beverages in the ordinary course of the licensee's business. Alcoholic beverages may be stored only on the premises owned by the licensee or that the licensee has the exclusive right to occupy. An applicant who seeks a Caterer's License must also apply for a Transportation Permit, which the ABCC also issues directly for a fee of \$150.00.

The Caterer's License is an on-premises license, which allows a caterer to sell alcoholic beverages at private events (never at the caterer's principal place of business) for no more than five hours in a city or town that allows on-premises licensees under M.G.L. c. 138, §12. Licensed Caterer's cannot sell or deliver alcoholic beverages at events which occur in a licensed premises, i.e. a restaurant, hotel, club, etc.

In addition, the licensed caterer must:

- Purchase its inventory of alcoholic beverages from licensed wholesalers
- Maintain liquor liability insurance in a minimum amount of \$250,000.00/\$500,000.00
- Only permit individuals who have been certified by a nationally recognized alcoholic beverages server training program to serve alcoholic beverages
- At least 48 hours before any private event:
  - (a) notify the police chief and the local licensing authority that the licensed caterer will be serving alcoholic beverages in the city/town;
  - (b) provide a copy of the caterer's license to the police chief and the local licensing authority; (c) provide proof of insurance to the police chief and the local licensing authority; and
  - (d) provide an emergency contact number for the license manager to the police chief and the local licensing authority.

## **VIII. Rules and Regulations for Club Licenses**

1. Club license applications to be filed in duplicate with Board of Selectmen. (Information therein to be typed or printed in ink.) Application to indicate whether veterans' organization or club.
2. Following to be submitted with application:
  - (a) License fee - \$100.00 (check made payable Town of Arlington).
  - (b) Copy of Club Charter, also a copy of current membership list as of January 1.
  - (c) Copy of House Rules.
  - (d) The full names and residence addresses of the President, Treasurer, Clerk, Secretary, Directors and Manager, or other Principal Representatives of the organization.
  - (e) A copy of the vote, of the Board of Directors, or other similar body certified by the Clerk or Secretary of the organization, specifically authorizing the officer, who shall be identified by name and residence address, to sign the application for the license on behalf of the organization.
  - (f) A certified copy of the vote of the Board of Directors or other similar body, appointing a person who shall be identified by name and residence address to act as Manager or other Principal Representative.
  - (g) Certified copy of minutes of the last meeting of the membership of the organization prior to the date of application.
3. Selectmen shall cause a notice thereof to be published, at the expense of the application, within ten (10) days of receipt of application.
4. Applicant shall, within three (3) days after publication, cause a copy of the notice, attached to club stationary, to be sent by registered mail, return receipt requested, to each abutting property owner, and to any school, church or hospital located within a radius of five hundred (500) feet. Town Engineer to supply names and addresses of abutters and any school, church or hospital within five hundred (500) feet. Following statements to appear on notice sent to any school, church or hospital "As required by Chapter 138, Section 15A of the General Laws your attention is directed to the necessity of written objection to prevent the issuance of the license referred to in the above-captioned legal notice."
5. "An affidavit of the applicant or of the person mailing such notice on his behalf, together with an attested copy of the notice mailed, shall be filed in the office of the licensing authority." Affidavit to be made on appropriate place on application form. Registered mail return receipts are to be filed with Selectmen.
6. The Selectmen shall cause an examination to be made of the premises. (Section 12 of Chapters 138 G.L.)
7. The Selectmen shall schedule a public hearing ten days after the publication of such notice.

8. Application shall be granted or dismissed by the selectmen not later than thirty (30) days after filing; and if favorably acted upon by the Selectmen it shall be submitted for approval by the Commission not later than three days following such favorable action. Licenses shall be issued not later than seven (7) days following receipt of notice of approval from Commission (Section 16B of Chapters 138 G.L.)

Fire Protection Rules

1. Licensed premises shall be subject to inspection by members of the Arlington Fire Department at all times. Every building shall be inspected by the Arlington Fire Department prior to the issuance of a license. Such inspection shall insure that the premises are a proper place, having due regard for the safety of members and guests who may use the facilities. This inspection shall take into consideration the type and construction of the building, available fire protection, hazardous conditions in any part of the building, including access to and from the building, also the specific regulations outlined below.
2. Fire protection equipment such as standpipes, hose, water or sand piles, axes, chemical extinguishers and other apparatus as the Fire Chief may require, shall be kept in good condition and easily accessible for use.
3. In the case of fire, the Fire Department shall exercise exclusive control and direction of all persons on the premises including employees of the licensee.
4. No obstruction of any nature will be permitted in any isle, passageway, or stairway during the hours of operation of the club or organization.
5. All locations approved for use of club liquor licenses shall have proper egresses, unlocked, for the escape from fire sufficient for use of all persons assembled therein. The egress and means of escape shall be kept unobstructed, in good repair and ready for use.
6. Every such egress shall be properly lighted and provided with a sign having on it the word "EXIT" in letters not less than 5" in height.
7. Locations shall conform with the requirements of Chapter 143 of the General Laws.
8. Emergency lighting shall be provided for all occupied areas.
9. No flammable decorations shall be permitted.

Regulations Covering Club Licenses

1. THE LICENSE IS SUBJECT TO GENERAL LAW 138 AND THE REGULATIONS OF THE ALCOHOLIC BEVERAGES CONTROL COMMISSION AS WELL AS REGULATIONS, GENERAL OR SPECIFIC, MADE AT ANY TIME BY THE BOARD OR SELECTMEN.

2. The hours during which sales of alcoholic beverages shall NOT be made by club licenses are as follows:
  - a. No sale shall be made on any day other than Sunday between the hours of 1:00 A.M. and 11:00 A.M. except that when January 1<sup>st</sup> falls on a secular day, no such sales shall be made on said day between the hours of 2:00 A.M. and 11:00 A.M.
  - b. No sale shall be made on Sunday between the hours of 1:00 A.M. and 12:00 P.M. Noon (adopted 12/11/72).
  - c. No sale shall be made on Christmas Day, or the day following when said day occurs on Sunday, or on the last Monday in May between the hours of 1:00 A.M. and 1:00 P.M.
- Note: On certain licenses the Board at their discretion may alter the standard hours of operation designated above.
3. The licensee shall furnish the name and address of the club, also the Manager's name, address and telephone number, to the Board of Selectmen, Chief of Police and Chief of the Fire Department. Any change in location or of manager must be reported without delay to the Board of Selectmen, the Chief of Police and the Chief of the Fire Department.
4. Club licensee shall have a bartender or manager in charge during open hours who is of good moral character and a responsible type of person. He shall be held accountable for keeping order.
5. The bartender or manager shall be responsible for the conduct of its members and guests in the licensed premises. He shall prevent undue noise and disturbance to the neighborhood.
6. The bartender or manager shall refuse to serve a member or guest who is approaching a condition of "under the influence."
7. The bartender or manager shall make an effort to prevent a member or guest from operating a motor vehicle if said member or guest appears to be "under the influence."
8. The bartender or manager shall refuse to serve any member or guest under the legal age. When in doubt of age, the bartender shall require the showing of identification cards in accordance with Chapter 138, Section 34B of the General Laws.
9. All tables shall be cleared of alcoholic beverages within one half hour after legal hour of sale of same.
10. No member, guest or employee shall be served alcoholic beverages after legal hour of sale of same.
11. No person is allowed in that area of the building where alcoholic beverages are served between the hours of 2:00 A.M. and 6:00 A.M., 3:00 A.M. to 6:00 A.M. on January 1<sup>st</sup>, except persons whose names have been posted with the Chief of Police who may be present for custodial purposes.
12. No alcoholic beverages shall be taken from the building.

13. No licensee shall sell alcohol beverages in any part of the premises not specified on this license.
14. The licensed premises must be well lighted at all times.
15. There shall be no indecent or immoral entertainment on the licensed premises.
16. Gambling, lotteries, or other illegal machines or games are prohibited except as otherwise permitted by law.

#### 16A. REGULATION ON LICENSING OF AUTOMATIC AMUSEMENT DEVICES

The Application for a license of an Automatic Amusement Device or Devices at any Club or Non-Profit Organization shall not be considered by the Board of Selectmen until a vote of the membership is taken.

Prior to the vote being taken, all members of the Club or Organization shall be notified in writing. The notice shall specify "the type of machine and the name of the machine being considered". The notice shall also state that "According to the Rules and Regulations of the Board of Selectmen, no gambling or payoff on any type of automatic amusement device is allowed. If any Club or Non-Profit Organization is found to be making payoffs which are illegal and constitute illegal gambling, after a Public Hearing, at which it is substantiated that illegal gambling did take place, the Club or Organization may be subject to temporary or permanent loss of their All Alcoholic Beverage License". (Adopted 7/28/86)

17. Alcoholic beverages may be sold to members only and to guests introduced by members, and to no others. No person is to be denied service based on race, color or creed.
18. Membership. (i.e. Associate Membership or equivalent type) in licensed clubs, other than regular membership, shall be subject to the approval of the Board of Selectmen.
19. The licensed premises shall be subject, at all times, to inspection by members of the Board of Selectmen, their Executive Secretary, Town Manager, Board of Health or their representatives, Police Department, Fire Department, or any other department or official of the town so directed by the Selectmen.
20. Violation of any of the Rules, Regulations and/or conditions established by the Board of Selectmen, or violation of any Laws of the Commonwealth or Regulations of the Alcoholic Beverage Control Commission shall be sufficient cause for suspension, revocation or forfeiture of the club license.
21. The Board of Selectmen reserves the right to amend these rules and regulations any time without prior notice.



## **Town of Arlington, Massachusetts**

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### **Discussion: Police Chief Recruitment**

#### **Summary:**

Adam W. Chapdelaine, Town Manager

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Reference Material	Memorandum to Board



**Town of Arlington  
Office of the Town Manager**

**Adam W. Chapdelaine  
Town Manager**

**730 Massachusetts Avenue  
Arlington MA 02476-4908  
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Fax (781) 316-3019  
E-mail: [achapdelaine@town.arlington.ma.us](mailto:achapdelaine@town.arlington.ma.us)  
Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)**

**To:** Members of the Board of Selectmen

**From:** Adam Chapdelaine, Town Manager

**RE:** Police Chief Recruitment Strategies/Interim Chief Strategy

**Date:** January 8, 2015

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**Vacancy**

As the Board is aware, Frederick Ryan, Arlington Chief of Police, is resigning his position as of March 1, 2015 in order to begin work as the Chief of Police for the MBTA Transit Police Department. Chief Ryan has had a tremendously positive impact on the Arlington Police Department (APD) and the Arlington community during his tenure, and I think it is an inarguable fact that he is leaving behind a substantial pair of shoes to fill. I am writing today, to inform the Board of my plans for filling this vacancy on both an interim and permanent basis.

**Interim**

I have already initiated the process of identifying candidates within the APD for a provisional appointment to the position of Interim Police Chief. The main criteria that I have for an Interim Chief candidate is that he/she not be interested in pursuing the position on a permanent basis. I have taken this approach as to not provide any potential candidate for the permanent position an advantage based on having served as Interim Chief. Working with Chief Ryan, I plan to speak with ranking officers within the APD and make an appropriate choice for Interim Chief. I plan to have this decision made well prior to Chief Ryan's departure on March 1<sup>st</sup>, and will more than likely have an Interim Chief named prior to the end of January.

**Potential Avenues for Recruitment**

In regard to the screening and recruitment of a Chief for the permanent position, there are several processes which can be utilized under the law. Brief descriptions of these processes are as follows:

**▪ Civil Service (Internal)**

The Chief of Police in Arlington is currently a Civil Service position. Following this process would open the recruitment to each successive rank below Chief from within the department until four (4) candidates have been identified. For example, if only one (1) of the current Police Captains chose to pursue the position, then Police Lieutenants would be eligible to apply. If only two (2) Police Lieutenants applied, then the position would be opened to Police Sergeants as well. However, if a combination of existing Police Captains and Police Lieutenants equaling four (4) or greater applied, the position would not be made available to Police Sergeants.

Under this process, the candidate pool would participate in an assessment center that would be run by an independent third party hired by the Town. This assessment would have both written and verbal components. The assessment panel would then provide a score for each candidate and I would then receive a list of the top three performers in order of their score. If the second or third ranked candidates were chosen, I would have to provide bypass reasons for not selecting the highest ranked candidate.

- **Civil Service (Open Competitive)**

Under this process, the position would be open to any candidate having a minimum of five (5) years supervisory experience in a governmental police force. An assessment center process similar to the one described above would then be implemented. Candidates would be ranked, and any candidate with a passing score, who has veteran status, would be placed at the top of this list.

- **Non-Civil Service Process**

Pursuit of this process would allow for the position to be open to candidates from within the state and beyond based upon criteria that the Town would set. Like the Civil Service processes described above, an assessment center would be utilized as a component of the evaluation process. However, in this process, the top candidates would be provided to the appointing authority without exact ranking. Using this method would eliminate the need to provide bypass reasons for not selecting the candidate with the best score. It would also afford qualifying department police sergeants the opportunity to participate in the process.

In order to pursue this process, the Chief's position would need to be removed from Civil Service. This would require an affirmative vote of Town Meeting requesting the filing of home rule legislation and then the successful passage of such legislation.

### **Input**

While considering these multiple options I have consulted with Board members, the leadership of both Police unions, Chief Ryan, the Director of Human Resources, the Deputy Town Manager, and Town Counsel. All of these stakeholders have provided valuable perspective and have allowed me to consider this process from multiple angles. It has become clear that maintaining a balance of management flexibility, cultivation of a talented candidate pool, and employee morale within the APD are all crucial factors to consider.

### **Course of Action**

I am planning to move forward with an approach that I believe best balances the competing priorities mentioned above. I would like to move forward with the process to remove the position from Civil Service, and thereby enable a degree of enhanced management flexibility. However, in order to maintain departmental morale and provide internal opportunities for promotion, I plan to limit the applicant pool to only internal candidates. This approach achieves the following:

- Allows management the flexibility to set the criteria for the position in a broader manner than allowed by Civil Service.
- Allows management the flexibility to hire the next Chief from a pool of candidates, without having to provide bypass reasons that could publicly embarrass a candidate that is not chosen.
- Acknowledges that the APD is currently a very high performing department (as evidenced by its recent accreditation) and has a leadership team in place which is well suited for succession to the Chief's position.
- Allows future management flexibility to look outside the department for a Chief.

I look forward to discussing this approach with the Board at Monday's meeting.



## **Town of Arlington, Massachusetts**

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### **Town Manager Evaluation Process**

#### **Summary:**

Adam W. Chapdelaine, Town Manager

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Reference Material	Memorandum to Board
<input type="checkbox"/> Reference Material	Evaluation Instrument



**Town of Arlington  
Office of the Town Manager**

**Adam W. Chapdelaine  
Town Manager**

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Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)**

**To:** Members of the Board of Selectmen

**From:** Adam Chapdelaine, Town Manager

**RE:** Town Manager Performance Evaluation

**Date:** January 8, 2015

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I am writing to the Board today to prompt the beginning of the Town Manager evaluation process for what will now be the third year. For the past two years, we have used an evaluation instrument agreed to by the Board to go along with a Narrative Self Evaluation and an update on Town Manager goals provided by me. I have provided a copy of the evaluation instrument along with this memorandum for your review. I would like to suggest a timeline for the Board to accept at Monday's meeting, and also hear feedback from Board members regarding the process that has been in place. The proposed timeline is as follows:

**January 26, 2015** – Town Manager provides Board with Narrative Self Evaluation, updated goals document, and a copy of the evaluation instrument.

**January 26, 2015 – February 23, 2015** – Board members complete evaluation instrument.

**February 23, 2015** – Completed evaluation instruments are transmitted to the Chair of the Board.

**February 23, 2015 – March 4, 2015** – Chair of the Board works with HR Director to compile scores from evaluation instrument and create one comprehensive evaluation document.

**March 9, 2015** – Evaluations are discussed by the Board in public session at the regularly scheduled Board meeting.

I look forward to the beginning of the evaluation process and working with the Board to continually enhance my performance as Town Manager.

**Town of Arlington  
Board of Selectmen Policy**



**Town Manager Performance Review Instrument**

Effective Date	<b>2/25/2013</b>
Revisions	
Approval Date	<b>2/25/2013</b>

**POLICY AND PURPOSE**

The purpose of this review instrument is to formally appraise the Town Manager's performance on an annual basis. The document allows the Board of Selectmen to assess the Town Manager's performance in management practices and in the accomplishment of goals. Through the review procedure, Board members will recognize strengths, offer positive feedback, and suggest any areas that require corrective action.

Individual performance review forms will be prepared by members of the Board of Selectmen. The Chair or his or her designee will prepare an overview document, compiling the scores and comments of individual board members.

**PROCEDURE**

1. The period of review is March 1 through February 28 .
2. The Town Manager will submit a narrative self-evaluation; a copy of the narrative and a blank review form will be distributed to each Board member at that time.
3. Board members will submit reviews by a date set by the Chair. The Chair, in cooperation with the Human Resources Director, will compile scores from individual reviews and develop a consensus overview document.
4. Board members may meet individually with the Town Manager to discuss aspects of the performance review document.
5. The Chair will provide the other Board members and the Town Manager with the consensus review overview document prior to the meeting at which the document will be publicly discussed.
6. The overview document will be finalized for placement in the Town Manager's file at a regular meeting of the Board of Selectmen.

**Town of Arlington  
Town Manager Performance Review Form**

**Instructions**

A space has been provided for each statement within the performance areas. Check the number which most accurately reflects the level of performance for the factor. If you did not have an opportunity to observe or make a determination on a particular factor, please indicate so in the N/A space.

**Rating Scale (1-5)**

Unsatisfactory (1)	The Manager's work performance is inadequate and inferior to the standards of performance required for the position.
Improvement Needed (2)	The Manager's work performance does not consistently meet the standards of the position.
Meets Expectations (3)	The Manager's work performance consistently meets the standards of the position.
Exceeds Expectations (4)	The Manager's work performance is frequently or consistently above the level of a satisfactory employee.
Excellent/Highly Comendable (5)	The Manager's work performance is consistently excellent when compared to the standards of the job.

<b>1. Personal Characteristics</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/A</b>
a. Exhibits honest and ethical behavior.	<input type="checkbox"/>					
b. Acts in a fair and equitable manner.	<input type="checkbox"/>					
c. Effectively deals with unforeseen issue and problems.	<input type="checkbox"/>					
d. Shows resilience by maintaining energy and motivation despite constant demands. Responds well to stressful situations.	<input type="checkbox"/>					
e. Displays creativity, innovation, flexibility and appropriate risk taking.	<input type="checkbox"/>					
Comments:						

<b>2. Professionalism</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/A</b>
a. Is fully knowledgeable and committed to the field of local government management.	<input type="checkbox"/>					
b. Seeks to enhance skills and abilities through educational opportunities.	<input type="checkbox"/>					
c. Actively participates in professional municipal management organizations.	<input type="checkbox"/>					
d. Encourages staff training and development.	<input type="checkbox"/>					
Comments:						

<b>3. Public Relations/Communications</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/A</b>
a. Projects a positive image in the community.	<input type="checkbox"/>					
b. Is reasonably open and available to the public and responsive to citizen complaints or requests.	<input type="checkbox"/>					
c. Communicates effectively to the media.	<input type="checkbox"/>					
d. Keeps the citizenry informed of current issues in Town government.	<input type="checkbox"/>					
Comments:						

<b>4. Board Support/ Relations</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/A</b>
a. Offers professional advice to the board, including appropriate alternatives and recommendations, based upon thorough study and analysis.	<input type="checkbox"/>					
b. Implements policy matters and other directives adopted by the Board of Selectmen.	<input type="checkbox"/>					
c. Keeps Board members informed of issues and activities in Town government and in the community.	<input type="checkbox"/>					
d. Listens and understands Selectmen concerns.	<input type="checkbox"/>					
e. Maintains a professional working relationship with the Board, promoting a climate of mutual respect and trust .	<input type="checkbox"/>					
Comments:						

<b>5. Community Leadership</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/A</b>
a. Provides leadership within the community by being visible and approachable.	<input type="checkbox"/>					
b. Supports and recognizes the efforts of volunteer citizens and groups.	<input type="checkbox"/>					
c. Maintains effective communications with other communities, state agencies, and municipal organizations.	<input type="checkbox"/>					
d. Maintains effective communications with state and federal elected representatives.	<input type="checkbox"/>					
Comments:						

<b>6. Organizational Leadership/Personnel Management</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/A</b>
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a. Provides leadership, motivation and support within the organization.	<input type="checkbox"/>						
b. Effectively delegates tasks and assignments.	<input type="checkbox"/>						
c. Builds and motivates a team, providing direction and monitoring/adjusting performance as required.	<input type="checkbox"/>						
d. Assures selection for employment of the best-qualified personnel.	<input type="checkbox"/>						
e. Assures systematic performance review of staff in the organization.	<input type="checkbox"/>						
f. Establishes high standard of performance for all managers; recognizes, develops, and utilizes their leadership abilities.	<input type="checkbox"/>						
g. Effectively leads collective bargaining efforts with unions; keeps the Board informed on progress.	<input type="checkbox"/>						
h. Strives to maintain good staff morale and maintains open, honest and professional relationships with staff.	<input type="checkbox"/>						
Comments:							

Comments:

<b>8. Planning and Organization</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/A</b>
a. Creates and facilitates an environment for long-range and strategic planning.	<input type="checkbox"/>					
b. Adequately prepares Board for Town Meeting.	<input type="checkbox"/>					
c. Establishes appropriate goals and objectives for performance.	<input type="checkbox"/>					

Comments:

<b>OVERALL RATING</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/A</b>
Overall, the Town Manager performs at the following level:	<input type="checkbox"/>					
Comments:						
Recognized Strengths:						
Areas for Improvement:						
Name of Selectman:						

# **Town Manager Performance Review Form**

## **Acknowledgement of Receipt**

This is to acknowledge the fact that the performance review was conducted by the Board of Selectmen in accordance with the procedures and that the Town Manager has received the overview document with the compilation of scores.

## BOARD OF SELECTMEN

Date: \_\_\_\_\_

## TOWN MANAGER

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Page 10 of 10

Date: \_\_\_\_\_



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**Town of Arlington, Massachusetts**

**NEW BUSINESS**



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**Town of Arlington, Massachusetts**

**EXECUTIVE SESSION**



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**Town of Arlington, Massachusetts**

**Next Meeting of BoS January 26, 2015**